

ship, Washington County, and in the Commonwealth of Pennsylvania; to the Committee on Interstate and Foreign Commerce.

By Mr. CORBETT:

H. R. 5386. A bill to provide for the construction of a bridge across the Monongahela River; to the Committee on Interstate and Foreign Commerce.

H. R. 5387. A bill to provide for the construction of a bridge across the Monongahela River; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of Oklahoma:

H. R. 5388. A bill authorizing the transportation of the wives and children of enlisted men of the Army or the Army of the United States of all grades to the stations without the continental limits of the United States of their husbands; to the Committee on Military Affairs.

By Mr. WOLCOTT:

H. R. 5389. A bill to amend the National Housing Act by adding thereto a new title to provide for a housing expediter and to define his powers, providing for the allocation of building materials for the construction of homes, providing for preference to veterans of World War II in the purchase or rental of housing accommodations, and for other purposes; to the Committee on Banking and Currency.

By Mr. MERROW:

H. Res. 507. Resolution to amend clause 4 of rule XXVII of the Rules of the House; to the Committee on Rules.

By Mr. JARMAN:

H. Res. 508. Resolution authorizing the printing as a public document of a revised edition of House Document No. 228, Seventy-ninth Congress, first session, entitled "Our American Government: What Is It? How Does It Function?"; to the Committee on Printing.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States and certain Federal governmental departments to take steps to alleviate the shortage of buildings and office space in California cities for veterans of World War II engaged in business and professions; to the Committee on World War Veterans' Legislation.

Also, memorial of the Legislature of the State of South Carolina, memorializing the President and the Congress of the United States to discontinue the practice of the Fair Employment Practice Commission; to the Committee on Labor.

Also, memorial of the Legislature of the State of Kentucky, memorializing the President and the Congress of the United States to establish a floor price for tobacco; to the Committee on Banking and Currency.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BUCK:

H. R. 5390. A bill to suspend deportation of Domenico Marozzo and record his admission for permanent residence; to the Committee on Immigration and Naturalization.

By Mr. CASE of New Jersey:

H. R. 5391. A bill for the relief of Ann Maureen Bell; to the Committee on Immigration and Naturalization.

By Mr. DIRKSEN (by request):

H. R. 5392. A bill for the relief of Bruno Benedetto Zevi; to the Committee on Immigration and Naturalization.

By Mr. HAVENNER:

H. R. 5393. A bill for the relief of Earl F. Hentzy; to the Committee on Claims.

By Mr. IZAC:

H. R. 5394. A bill for the relief of San Diego Gas & Electric Co.; to the Committee on Claims.

H. R. 5395. A bill for the relief of Leonard C. Clark and Elizabeth Clark; to the Committee on Claims.

H. R. 5396. A bill for the relief of Carl L. Rosso and Josephine A. Rosso; to the Committee on Claims.

H. R. 5397. A bill for the relief of Nels L. Olson; to the Committee on Claims.

By Mr. MALONEY:

H. R. 5398. A bill for the relief of Walter J. Barnes Electric Co. and Maritime Electric Co., Inc.; to the Committee on Claims.

By Mrs. ROGERS of Massachusetts:

H. R. 5399. A bill for the relief of Sarkis Mugrdichian; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1522. By Mr. CASE of South Dakota: Petition of Mrs. G. S. Gunderson, president, Lutheran Ladies Aid, Baltic, S. Dak., and 41 other signers, urging enactment of legislation to prohibit advertising of alcoholic beverages by radio and interstate transmission of periodicals containing alcoholic-beverage advertisements; to the Committee on the Judiciary.

1523. Also, petition of Mrs. Olaf Brenden, of Garretson, S. Dak., and 20 other signers, urging enactment of legislation to prohibit advertising of alcoholic beverages by radio or interstate transmission of periodicals containing alcoholic-beverage advertisements; to the Committee on the Judiciary.

1524. By Mr. SHORT: Petition of Charlie Chastain and other citizens of Stone County, Mo., urging the passage of the Poage bill or H. R. 1742; to the Committee on Interstate and Foreign Commerce.

1525. Also, petition of J. B. Manka and other citizens of Lawrence County, Mo., urging the passage of the H. R. 1742 or the Poage bill; to the Committee on Interstate and Foreign Commerce.

1526. By the SPEAKER: Petition of the Minnesota District of the Evangelical Lutheran Synod, petitioning consideration of their resolution with reference to the President and Congress of the United States to take the necessary steps so that the services of UNRRA be extended to include all the needy people in the occupied territories; to the Committee on Foreign Affairs.

1527. Also, petition of the board of directors, the Texas Cotton Association, petitioning consideration of their resolution with reference to the pending loan to Great Britain; to the Committee on Banking and Currency.

1528. Also, petition of the Fifty-fourth Assembly District Democratic Club, petitioning consideration of their resolution with reference to Congress continuing price control for a period not less than 2 years; to the Committee on Banking and Currency.

SENATE

WEDNESDAY, FEBRUARY 6, 1946

(Legislative day of Friday, January 18, 1946)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Almighty God, with whom there is no shadow that is caused by turning, con-

scious that in the rough and rushing world there is upon us constantly the hot breath of malice and envy, of evil tempers and thoughts, in this quiet moment of devotion, breathe on us, breath of God, fanning to flame our smoldering faith that the cross which weights the wings of our spirits may be consumed.

As those into whose unworthy hands has been placed the crying needs of stricken humanity, may the thoughts of our minds and the sympathies of our hearts, the words of our lips, and the decisions of our deliberations be acceptable in Thy sight, O Lord, our strength and our Redeemer. Amen.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 490. An act to authorize the sale of the allotment of Henry Keiser on the Crow Indian Reservation, Mont.;

S. 815. An act for the relief of Ogden & Dougherty, and for other purposes;

S. 831. An act for the relief of James Alves Saucier;

S. 845. An act for the relief of Mabel Fowler;

S. 905. An act for the relief of Harold E. Bullock;

S. 991. An act for the relief of Mr. and Mrs. Marion M. Hill;

S. 1077. An act for the relief of Oscar S. Reed;

S. 1081. An act for the relief of Aftab Ali;

S. 1142. An act for the relief of Florence Barrows;

S. 1158. An act for the relief of Winter Bros. Co.;

S. 1231. An act for the relief of Paul E. Tacy;

S. 1294. An act for the relief of Mr. and Mrs. Allan F. Walker;

S. 1296. An act for the relief of John A. Hatcher;

S. 1323. An act for the relief of the estate of William Carl Jones;

S. 1338. An act for the relief of the legal guardian of Wayne Edward Wilson, a minor;

S. 1360. An act to compensate Benali El Oukili Boucheta, an inhabitant of French Morocco, for the wrongful death of his son Mohamed Ben Boucheta Ben Ali El Oukili, near Marnia, Algeria, on September 30, 1944;

S. 1361. An act to compensate Clement Euziere, an inhabitant of French Morocco, for personal injuries caused by a naval vehicle near Oran, Algeria, on September 21, 1943;

S. 1448. An act for the relief of William Wilson Wurster; and

S. 1590. An act to authorize the President to appoint Graves Blanchard Erskine, major general, United States Marine Corps, to the office of Retraining and Reemployment Administrator, without affecting his service status and perquisites.

The message also announced that the House had passed the following bills of the Senate, severally with an amendment in which it requested the concurrence of the Senate:

S. 314. An act for the relief of Sigurdur Jonsson and Thorolína Thordardóttir;

S. 1101. An act for the relief of the estate of Manuel Rose Lima;
 S. 1129. An act for the relief of Willie H. Johnson; and
 S. 1480. An act for the relief of Charles R. Hooper.

The message further announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 262. An act for the relief of Robert M. Winkle;
 H. R. 804. An act for the relief of Mrs. Trixie Minnie Twigg;
 H. R. 841. An act for the relief of Lander H. Willis;
 H. R. 1037. An act to confer jurisdiction upon the United States District Court, Southern District of Florida;
 H. R. 1217. An act for the relief of Hutchinson's Boat Works, Inc., and others;
 H. R. 1238. An act for the relief of Father Peter B. Duffee;
 H. R. 1264. An act for the relief of Lt. Col. John P. Maher, Field Artillery Reserve, Army of the United States;
 H. R. 1399. An act for the relief of Mrs. Lucy Palmisano and the legal guardian of Anthony Palmisano, Jr.;
 H. R. 1616. An act to grant an honorable discharge from the military service of the United States to William Rosenberg;
 H. R. 1721. An act for the relief of Eli L. Scott;
 H. R. 1732. An act for the relief of Mrs. Marie A. Shedd, Mrs. Maude C. Denney, and Mrs. Mabel Glenn Gray;
 H. R. 1788. An act for the relief of Mr. and Mrs. Conrad Newman;
 H. R. 1950. An act for the relief of Harry Cohen;
 H. R. 1980. An act for the relief of Maj. Edward A. Zaj;
 H. R. 2011. An act for the relief of the estate of J. Earl Evans;
 H. R. 2167. An act for the relief of Orvis Welch;
 H. R. 2244. An act for the relief of Edward W. Thurber;
 H. R. 2246. An act for the relief of the estate of Michael O. Mello, and Christian O. Mello;
 H. R. 2415. An act for the relief of Joseph Tarantola and Ida Tarantola;
 H. R. 2480. An act for the relief of Wesley A. Mangelsdorf;
 H. R. 2528. An act for the relief of Mr. and Mrs. James Sherry;
 H. R. 2956. An act for the relief of Therese R. Cohen;
 H. R. 3003. An act for the relief of Mary G. Paul;
 H. R. 3050. An act for the relief of David Siskind;
 H. R. 3121. An act for the relief of Elizabeth M. Simmons and Robert H. Simmons;
 H. R. 3126. An act for the relief of Mrs. Jean Taube Weller;
 H. R. 3127. An act for the relief of Harry F. Vinton, Jr.;
 H. R. 3158. An act for the relief of Leonard J. Fox and Milford G. Fox, a partnership, doing business as Fox Co.;
 H. R. 3159. An act for the relief of Ernest Pedro Ferreira;
 H. R. 3177. An act for the relief of James J. Barrett, Jr.;
 H. R. 3301. An act for the relief of the legal guardian of James Herbert Keith, a minor;
 H. R. 3430. An act for the relief of George F. Powell;
 H. R. 3431. An act for the relief of F. W. Burton;
 H. R. 3543. An act for the relief of the legal guardian of James Thompson, a minor;
 H. R. 3573. An act for the relief of George Pathy;
 H. R. 3590. An act for the relief of Charles Brown, legal guardian of Lula Mae Brown;

Charity Hospital of New Orleans, La.; and Dr. Edward H. Maurer;

H. R. 3670. An act for the relief of the estate of Venancio Llacuna and others;
 H. R. 3828. An act for the relief of James R. Vaughan;
 H. R. 4027. An act authorizing sale of the allotment of LeRoy Milliken on the Crow Indian Reservation, Mont.;
 H. R. 4034. An act authorizing the issuance of a patent in fee to Alice Yarlott Othermedicine;
 H. R. 4035. An act authorizing the issuance of a patent in fee to Wilbert Keiser;
 H. R. 4054. An act for the relief of H. A. Edd;
 H. R. 4176. An act for the relief of the estate of Earle R. Woodfall, Jr., deceased;
 H. R. 4253. An act for the relief of Mrs. Beatrice Brisbin, and the legal guardians of Wynona Gene Brisbin, Nelda Elaine Brisbin, Gwendoline Louise Brisbin, and Jacqueline Nadine Brisbin, minors;
 H. R. 4355. An act for the relief of the Morgan Creamery Co.;
 H. R. 4797. An act to confer jurisdiction upon the United States District Court for the Eastern District of Virginia to determine the claim of Lewis E. Magwood;
 H. R. 4957. An act for the relief of Herman Gelb;
 H. R. 5010. An act for the relief of Mrs. May Holland;
 H. R. 5258. An act granting a renewal of patent No. 113,244 dated February 7, 1939, relating to the flag of the Church of God; and
 H. J. Res. 243. Joint resolution tendering the thanks of Congress to General of the Army George C. Marshall and the members of the Army of the United States who have fought under his direction during the war; and providing that the President of the United States shall cause a medal to be struck to be presented to General Marshall in the name of the people of the United States of America.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 102. An act to amend section 2 (b) of the act entitled "An act extending the classified executive civil service of the United States," approved November 26, 1940, so as to provide for counting military service of certain employees of the legislative branch in determining the eligibility of such employees for civil-service status under such act;
 S. 765. An act concerning the establishment of meteorological observation stations in the Arctic region of the Western Hemisphere, for the purpose of improving the weather-forecasting service within the United States and on the civil international air-transport routes from the United States;
 S. 1467. An act to provide for adjustment between the proper appropriations of unpaid balances in the pay accounts of naval personnel on the last day of each fiscal year, and for other purposes;
 S. 1545. An act to amend article 38 of the Articles for the Government of the Navy;
 S. 1631. An act to provide for the payment on a commuted basis of the costs of transportation of dependents of certain persons entitled to such transportation and for other purposes; and
 H. R. 1085. An act for the relief of the estate of Edwin Perry Ashcraft.

CALL OF THE ROLL

Mr. RUSSELL. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gurney	Murray
Austin	Hart	O'Daniel
Bailey	Hatch	Overton
Ball	Hawkes	Pepper
Bankhead	Hayden	Radcliffe
Barkley	Hickenlooper	Reed
Bilbo	Hill	Revercomb
Brewster	Hoey	Robertson
Briggs	Huffman	Russell
Buck	Johnson, Colo.	Saitonstall
Bushfield	Johnston, S. C.	Shipstead
Butler	Kilgore	Smith
Byrd	Knowland	Stanfill
Capehart	La Follette	Stewart
Capper	Langer	Taft
Carville	Lucas	Taylor
Chavez	McCarran	Thomas, Okla.
Cordon	McClellan	Thomas, Utah
Donnell	McFarland	Tobey
Downey	McKellar	Tunnell
Eastland	McMahon	Tydings
Ellender	Magrison	Walsh
Ferguson	Maybank	Wheeler
Fulbright	Mead	Wherry
George	Millikin	White
Gerry	Mitchell	Wiley
Gossett	Moore	Willis
Green	Morse	Wilson
Guffey	Murdoch	Young

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] and the Senator from New York [Mr. WAGNER] are absent because of illness.

The Senator from Florida [Mr. ANDREWS], the Senator from Pennsylvania [Mr. MYERS], and the Senator from Wyoming [Mr. O'MAHONEY] are necessarily absent.

The Senator from Texas [Mr. CONNALLY] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

Mr. WHERRY. The Senator from Michigan [Mr. VANDENBERG] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

The Senator from New Hampshire [Mr. BRIDGES] and the Senator from Illinois [Mr. BROOKS] are necessarily absent.

The PRESIDENT pro tempore. Eighty-seven Senators having answered to their names, a quorum is present.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

TREATIES WITH GREAT BRITAIN AND NORTHERN IRELAND RELATING TO DOUBLE TAXATION—RECOMMITTAL

As in executive session,

Mr. GEORGE. Mr. President, on behalf of the Committee on Foreign Relations, I ask unanimous consent that Executive D, a convention between the United States of America and the United Kingdom of Great Britain and Northern Ireland, for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, signed at Washington on April 16, 1945, and Executive E, a convention between the United States of America and the United Kingdom of Great Britain and Northern Ireland, for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on the estates of deceased persons, signed at Washington on April 16, 1945, be taken from the calen-

dar and recommitted to the Committee on Foreign Relations for further hearing.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

PETITIONS

Petitions, etc., were presented and referred as indicated:

By Mr. DOWNEY:

A joint resolution of the Legislature of the State of California; to the Committee on Post Offices and Post Roads:

"Assembly Joint Resolution 7

"Joint resolution relative to memorializing Congress to provide a wage readjustment for postal service employees

"Whereas by action of Congress, effective July 1, 1945, employees of the United States postal service were granted permanent wage readjustments for the first time in 20 years; and

"Whereas with their return now to a 40-hour week and no overtime the net or take-home pay of such employees is actually less than it was before the 1945 increases were made, rendering inadequate the benefits thus conferred; and

"Whereas the great army of postal employees represents a highly loyal and efficient group of public servants, recognized for their continuous devotion to duty and their outstanding performance in wartime: Now, therefore, be it

"Resolved by the Assembly and Senate of the State of California (jointly), That the Legislature of California hereby endorses and respectfully memorializes Congress to provide a wage readjustment for postal-service employees commensurate with their heavy duties and adequate for their present needs; and be it further

"Resolved, That the chief clerk of the assembly is directed to transmit copies of this resolution to the President of the United States, the President pro tempore of the Senate of the United States, the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the Postmaster General of the United States."

Three resolutions of the Legislature of the State of California; to the Committee on Banking and Currency:

"Assembly Joint Resolution 5

"Joint resolution relative to the modification of the application of price controls to retailers in the sale of lumber

"Whereas the end of the war has increased the use of lumber in California, particularly by the farmer and small businessman, and a great many of the purchases of lumber are made at small lumberyards in small towns and in rural areas; and

"Whereas the operator of a lumberyard is governed by regulation 26, issued by the Office of Price Administration, in the purchase of Douglas fir and other west coast lumber from a mill or stock yard, but Regulation 26 does not apply to the sale of lumber from a distribution yard, more commonly known as a retailer's lumberyard, and the retailer is thereby permitted to charge to the consumer a higher price than is allowed by regulation 26; and

"Whereas regulation 26 defines a purchase, which is subject to the provisions of said regulation, as the purchase of lumber shipped from a mill and it reaches the purchaser without ever becoming an integral part of the stock of a distribution yard; and

"Whereas the present definition works an undue hardship upon the operator of a small retail lumberyard, because frequently he receives orders for lumber which his stock is insufficient to fill and he must order the required amount from a mill, and that lumber is delivered to the consumer without it becoming a part of the retailer's stock of

lumber, and consequently the retailer can only charge the consumer the maximum price set forth in regulation 26, because the sale is in effect made to the consumer, but the mill, of course, would require the retailer to pay the maximum price provided by the regulation, and as a result the retailer has no margin of profit; and

"Whereas the Federal and State Governments have indicated their willingness to assist the small business enterprises but this intention cannot be reconciled with a policy of refusing to permit any margin of profit to a group of retailers in an important industry: Now, therefore, be it

"Resolved by the Assembly and Senate of the State of California, jointly, That the Office of Price Administration is requested to redefine the 'purchase of lumber from a mill,' so that a small retailer of lumber will not be discriminated against, and that he be assisted in making a reasonable profit; and be it further

"Resolved, That the secretary of the senate is hereby directed to send copies of this resolution to the President and Congress of the United States, the Director of the Office of Price Administration, and each of the Senators and Congressmen from California in the Congress of the United States."

"Assembly Joint Resolution 4

"Joint resolution relative to memorializing Congress to allocate housing appropriations upon the basis of need and of present population

"Whereas wide diversity of conditions exists throughout the Nation with reference to housing needs, the problem being particularly acute in some areas and less critical in others; and

"Whereas while shortage of materials and wartime building restrictions have taken Nation-wide toll on the housing situation, the effects have been felt with greatest severity in industrial centers, to which large numbers of persons have migrated under impetus of war and many of whom have indicated their intention to remain; and

"Whereas Federal legislation, in aid of the Nation's housing shortage, and the appropriations made thereunder, will meet more equitably the varying needs and contribute more effectively to their general alleviation if the foregoing factors are considered: Now, therefore, be it

"Resolved by the Assembly and Senate of the State of California, jointly, That Congress is respectfully memorialized, in enacting legislation with reference to housing, to allocate the appropriations made thereunder, primarily upon the basis of the needs of each area and, secondly, upon the basis of population, using, for the latter, present figures rather than those of the 1940 Federal census; and be it further

"Resolved, That the chief clerk of the assembly is directed to transmit copies of this resolution to the President of the United States, the President pro tempore of the Senate of the United States, the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

"House Resolution 55

"Resolution memorializing the Congress and certain Federal governmental departments to take steps to alleviate the shortage of buildings and office space in California cities for veterans of World War II engaged in business and professions

"Whereas it has been reported that numerous veterans of World War II returning to the San Francisco, Los Angeles, San Diego, Alameda, Long Beach, Oakland, and other California cities to engage in business and professions have been unable to secure proper office or building space; and

"Whereas it has been reported that various Federal governmental departments and agencies are occupying unnecessary building space in the area, and that when building space does become available it is not, in many instances being turned over to veterans applying therefor on an equal or equitable basis: Now, therefore, be it

"Resolved, That the Assembly of the State of California does hereby memorialize the Congress of the United States of America to take such steps as it may deem proper to have Federal governmental departments and agencies vacate any building and office space in the San Francisco, Los Angeles, San Diego, Alameda, Long Beach, Oakland, and other California cities as may be in excess of their minimum requirements therefor; and be it further

"Resolved, That during the interim between the time of vacating of such premises by such departments and agencies and the time of final release thereof by the Federal Government, it is urged that consideration be given by the proper disposal officers of the Federal Government to the making of interim short term subleases to veterans of World War II returning to engage in business and professions, granting priority to such veterans under section 16 of the Surplus Property Act of 1944; and be it further

"Resolved, That copies of this resolution shall be sent to each Senator and Representative from California; to the Honorable Leslie L. Bille, Secretary of the United States Senate; to the Honorable South Trimble, Secretary of the House of Representatives; the Honorable Robert Porter Patterson, Secretary of War; the Honorable James V. Forrestal, Secretary of the Navy; the Honorable W. Stuart Symington, Surplus Property Administrator, Hon. Charles B. Henderson, Acting Federal Loan Administrator; and Maj. Gen. Donald H. Connolly, Army-Navy Liquidation Deputy Commissioner."

TITLES TO LANDS BENEATH TIDEWATERS AND NAVIGABLE WATERS

Mr. DOWNEY. Mr. President, I ask unanimous consent to present for appropriate reference and to have printed in the RECORD a resolution adopted by the Board of Harbor Commissioners of the city of Long Beach, Calif., favoring the enactment of legislation to quiet the titles of the respective States and others to lands beneath tidewaters and lands beneath navigable waters within the boundaries of such States and to prevent further clouding of such titles.

There being no objection, the resolution was received, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Resolution HD-275

Resolution of the Board of Harbor Commissioners of the City of Long Beach petitioning the Senate of the United States to act favorably upon House Joint Resolution 225, adopted by the House of Representatives, or Senate Joint Resolution 48, both pending before its Committee on the Judiciary, or some similar resolution quietclaiming to the States and their grantees any pretended claim of the United States to tide and submerged lands within the boundaries of the respective States

Whereas the Supreme Court of the United States, in more than 50 decisions rendered over a period of more than 100 years, has determined that it is the settled law that the States and their grantees, and not the Federal Government, are the owners of the tide and submerged and reclaimed tide and submerged lands within their respective boundaries; and

Whereas since approximately 1937, and more particularly in the recent 6 months,

certain Federal officials, in a purported effort to expropriate the petroleum deposits belonging to the State of California and lying within the tide and submerged lands along its coast, have maintained a continuing attack on the title of the State to these lands and have caused to be instituted an original proceeding in the Supreme Court of the United States against the State of California, wherein it is sought to quiet the title of the United States to such lands belonging to the State of California, thereby placing in jeopardy the title to all port facilities, highways, parks, recreational, and other improvements of immeasurable value that have been placed upon such lands by the State of California and all States and their grantees; and

Whereas under certain acts of the Legislature of the State of California, as respectively set forth in Statutes of California, 1911, page 1304, Statutes of California, 1925, page 235, and Statutes of California, 1935, page 974, the State of California did grant to said city of Long Beach and to its successors all the right, title, and interest of the State of California held by said State by virtue of its sovereignty in and to all the tidelands and submerged lands, whether filed or unfilled, within the boundaries of said city and situated below the line of mean high tide of the Pacific Ocean, or any bay or harbor within said boundaries, to be forever held by said city in trust for harbor, recreation, park and highway uses and purposes, as therein set forth; and

Whereas water frontage of the city of Long Beach bordering the Pacific Ocean consists of 8.11 miles, and the submerged lands within said city limits consist of 12,440 acres, of which 345 acres have been reclaimed at the expense of said city, upon which 10,617 lineal feet of dock and pier installations have been constructed, providing 20 berths, and upon which 55,900 feet of railroad trackage has been installed by the city; storage space for the accommodation of commerce has thereon been constructed in a total amount of 7,780,000 square feet; and

Whereas the total tonnage of cargo handled during the 12-month period ending December 31, 1945, over municipal docks of the city constructed upon said reclaimed tide and submerged lands, including imports and exports, amounted to the sum of 1,672,568 tons, and said city received during said 12-month period revenues for the use of said harbor facilities in the amount of \$960,364.62; and

Whereas it is believed to be self-evident that another judicial affirmation by the Supreme Court of the title of the States and their grantees in and to said lands will not put an end to such attacks upon their title as aforesaid;

Now, therefore, the Board of Harbor Commissioners of the City of Long Beach resolves as follows:

SECTION 1. That the city of Long Beach, by and through the board of harbor commissioners of said city, does hereby petition the Senate of the United States to act favorably upon House Joint Resolution 225, adopted by the House of Representatives, or Senate Joint Resolution 48, both pending before its Committee on the Judiciary, or some similar resolution quitclaiming to the States and their grantees any pretended claim of the United States to tide and submerged lands within the boundaries of the respective States, to the end that by legislative declaration said issue of title shall be set at rest.

SEC. 2. That the city attorney be and he is hereby authorized and directed to transmit a certified copy of this resolution to the President of the United States, to the members of the Committee on the Judiciary of the United States Senate, and to the United States Senators from California.

SEC. 3. The secretary of the board shall certify to the passage of this resolution by the board of harbor commissioners of the city of

Long Beach, and it shall thereupon take effect.

SEC. 4. The secretary of the board shall cause this resolution to be published once in the Long Beach Independent, the official newspaper of the city of Long Beach.

(Mr. DOWNEY also presented a resolution adopted by the City Council of the City of Los Angeles, Calif., identical with the foregoing, which was referred to the Committee on the Judiciary.)

LEAVE OF ABSENCE

Mr. YOUNG. Mr. President, I ask unanimous consent to be absent from the sessions of the Senate during the next week or 10 days on business in my State.

The PRESIDENT pro tempore. Without objection, leave is granted.

PEACETIME MILITARY CONSCRIPTION

Mr. CAPPER. Mr. President, I ask unanimous consent to present for appropriate reference and to have printed in the RECORD a letter I have received from M. S. Bennett, a leading citizen of Minneapolis, Kans., expressing the opposition of himself and his family to peacetime military conscription.

There being no objection, the letter was received, referred to the Committee on Military Affairs, and ordered to be printed in the RECORD, as follows:

MINNEAPOLIS, KANS., December 27, 1945.
The Honorable ARTHUR CAPPER,
Topeka, Kans.

OUR DEAR SENATOR: We write to let you know our entire family stand absolutely opposed to conscription for military training, or any compulsory peacetime training. We trust you will vote against the bill and use all your influence to defeat its passage.

Our son, who was discharged in October, says all the boys he heard express themselves were against such a law in our democracy, and say, "Did we fight for freedom, or a dictatorship?" Can we let them down? You represent us and we are depending on your faithfulness.

Thank you.

THE M. S. BENNETT FAMILY.

BOY SCOUTS OF AMERICA—THIRTY-SIXTH ANNIVERSARY

Mr. CAPPER. Mr. President, the Boy Scouts of America, one of the great youth-serving agencies of this country, are today observing the thirty-sixth anniversary of that organization. The anniversary theme is "Scouts of the world—Building together." President Truman has emphasized the importance of this theme in his message to all Scouts when he said:

Keep on "building together" in this the thirty-seventh year of the Scout Movement in America and all the years to come.

Boy Scouts are organized in practically all the freedom-loving countries of the world. They are dedicated to ideals of friendliness, mutual good will and respect for the convictions of their fellow men. These millions of Boy Scouts can, when they have grown to manhood, be a powerful factor in helping the cause of world peace.

In our country we have nearly 2,000,000 Boy Scouts. If each of us will share in giving them leadership and support, we can greatly extend the opportunities of all boys to become members of this character-building organization. Boy Scouts have proved the value of their Scout training. They have proved it on

the field of honor during the war. They have proved it by their zeal on the home front in many capacities.

What America needs and what the world needs is more Boy Scouts. I hope that all of us will have a part in extending the movement in the year ahead.

THE LUMBER SHORTAGE

Mr. KNOWLAND. Mr. President, I ask unanimous consent to present and to have printed in the RECORD at this point as a part of my remarks a letter from the Southern California Retail Lumber Association dealing with the critical lumber situation with which the country is now faced, and a letter from Mr. James J. Sloan, Jr. Mr. Sloan is at present a member of the armed forces of the United States, and expects to be discharged within a short time. He is greatly concerned about the prospects of homes being afforded so that he and other veterans may find roofs over their heads during the ensuing months as they are discharged from the service.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

SOUTHERN CALIFORNIA RETAIL
LUMBER ASSOCIATION,
Los Angeles, Calif., January 28, 1946.
Hon. WILLIAM F. KNOWLAND,
Senate Office Building,
Washington, D. C.

DEAR SIR: This association was motivated to send a telegram of protest to the OPA respecting a new order it now has in project which would, if issued, work to the discrimination of lumber consumers in California.

We are enclosing a copy of our bulletin of January 25, a new release, and our telegram of protest to OPA respecting the new order, which we thought you would be interested in having.

There is an acute housing shortage in California. This shortage is particularly trying for returning veterans who are looking for a home.

The most important factor to the housing shortage is the lack of lumber in the area. That situation is daily growing worse. The reasons for this are:

1. Production of lumber was short of demand during the war and that situation has grown progressively worse since the war, due in large part to:

(a) The strike at the mills in the Pacific Northwest, which lasted for 10 weeks, without Government intervention;

(b) The strike in the California redwood mills now in progress;

(c) The recent seasonal shut-down in mills in the Pacific Northwest, that lasted for nearly 30 days due to bad weather, floods, and holidays;

(d) Exportation of lumber to foreign countries;

(e) Unrealistic price controls, which has retarded, and is now retarding, the production of boards, dimension, small timbers, flooring, ceiling, siding, running and standing trim, etc., which are critically short in this market and urgently needed to build homes.

2. The retail lumber dealers' inventories in the area are now at an all-time low. This condition is the result of the following:

(a) During the war their inventories went down to about 15 percent of normal, due principally to the heavy war demand on local stocks and inventory controls;

(b) Following the cease firing order, re-conversion of war plants was given Government encouragement in order to give jobs to discharged war workers and returning veterans. That program further drained the dealers' inventories, which they have been

unable to replenish, and today's inventories are estimated to be from about 90 to 95 percent short of normal. Further, present inventories include items of lumber which are not suitable for home construction, consequently several thousand units now in project in the area must await suitable materials before they can be completed.

Because of the conditions above outlined we urge you to use your good office to prevail upon OPA not to issue the order described in the attachments, because that order would be discriminatory to the users of lumber in California, and such action on the part of OPA would retard and not help to solve the housing shortage in the area.

Respectfully submitted,

ORRIS W. HAMILTON,
Secretary-Manager.

NORTHBRIDGE, CALIF., January 29, 1946.
Senator WILLIAM F. KNOWLAND,
Senate Office Building,
Washington, D. C.

DEAR SIR: It is imperative, for the welfare of the people of California, that the lumber shortage be overcome immediately.

Since the war has ended it is no longer required that vast quantities of lumber be shipped to the Army and Navy abroad. The lumber thus taken by them can now be diverted to the building of homes in this country.

If the British need lumber, let them get it from Canada, where there are vast forests of it. We need ours here, in California. I will be out of the Navy in 2 months and want to start building my house, which I have waited over 5 years for now, and desperately need, as my wife is having to live in a little made-over shack.

Please use your influence to stop the exporting of lumber.

Yours truly,

JAMES J. SLOAN, Jr.

Mr. KNOWLAND. Mr. President, I hold in my hand a recent release from the Civilian Production Administration in which it is stated that the Administration has authorized the exportation of 225,000,000 board feet of lumber from the United States during the first quarter of 1946. At that rate, during the four quarters of the year more than

1,000,000,000 feet of lumber will be exported from the United States during a time when a critical housing shortage exists from one end of the country to the other. The difficult situation facing those who are interested in building homes is aggravated by the fact that for exported lumber the Administration has permitted to be charged an excess of \$7.50 per thousand feet over the price which the producer can obtain from the domestic purchaser. Under those circumstances we can hardly blame the lumber producer for selling lumber to foreign purchasers. I believe that the Administration has on its shoulders the very serious responsibility of forthwith bringing the exportation of lumber to an end until we can meet the critical housing situation which now exists throughout our country.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. MAYBANK. Unfortunately, I was called out of the Chamber and was not present when the Senator from California was speaking. I am wondering if an enormous quantity of lumber is now being shipped from the west coast.

Mr. KNOWLAND. Enormous quantities of lumber are being shipped from various sections of the United States.

Mr. MAYBANK. I am familiar with conditions in the southeastern part of the United States, but I am not familiar with conditions in California, Washington, and Oregon.

Mr. KNOWLAND. I hope that the Senator from South Carolina will join with me in making such representations as may be necessary to prevent the shipment of lumber out of this country until we can meet the critical housing shortage, which obtains at home.

Mr. MAYBANK. Am I correct in understanding that the same situation exists on the west coast which exists in the South Atlantic States and in the East, namely, that enormous quantities of

lumber are being shipped from those localities?

Mr. KNOWLAND. The Senator is correct.

Mr. MAYBANK. I thank the Senator.

REPORT OF A COMMITTEE

Mr. TYDINGS, from the Committee on Territories and Insular Affairs, to which was referred the bill (S. 1109) to restore to the Territory of Hawaii certain lands designated under section 203, title II, as available within the meaning of the Hawaiian Homes Commission Act of 1920, as amended, reported it with an amendment and submitted a report (No. 924) thereon.

PERSONS EMPLOYED BY COMMITTEES WHO ARE NOT FULL-TIME SENATE OR COMMITTEE EMPLOYEES

The PRESIDENT pro tempore laid before the Senate reports for the month of January 1946, from the chairmen of certain committees, in response to Senate Resolution 319 (78th Cong.), relative to persons employed by committees who are not full-time employees of the Senate or any committee thereof, which were ordered to lie on the table and to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON MILITARY AFFAIRS
SUBCOMMITTEE ON SURPLUS PROPERTY,
February 4, 1946.

HON. KENNETH MCKELLAR,
President, United States Senate,
Washington, D. C.

DEAR MR. PRESIDENT: Pursuant to Senate Resolution 318, I am transmitting herewith a list of employees of the Surplus Property Subcommittee (S. Res. 129) of the Senate Military Affairs who are not full-time employees of the Senate. Included with this list is the name and address of each such employee, the name and address of the department paying the salary of such employee, and the annual rate of compensation for such employee.

Respectfully yours,

JOSEPH C. O'MAHONEY,
Chairman, Surplus Property Subcommittee.

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Kurt Borchardt.....	6007 34th Pl. NW.....	Reconstruction Finance Corporation, Washington, D. C.....	\$7,240
Hilda Hamilton.....	705 18th St. NW.....	do.....	2,890

SENATE MILITARY AFFAIRS COMMITTEE, SUBCOMMITTEE ON WAR MOBILIZATION

FEBRUARY 1, 1946.

To the Senate:

The above-mentioned committee hereby submits the following report showing the

names of persons employed by the committee who are not full-time employees of the Senate or of the committee for the month of January 1946, in compliance with the terms

of Senate Resolution 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Ann S. Gertler.....	3721 59th St. NW., Washington, D. C.....	Department of Interior, Washington, D. C.....	\$2,980.00
Joan P. Karasik.....	1919 19th St. NW., Washington, D. C.....	Foreign Economic Administration, Washington, D. C.....	4,300.00
C. Theodore Larson.....	3917 North 5th St., Arlington, Va.....	National Housing Agency, Washington, D. C.....	6,230.00
Fritzie P. Manuel.....	1621 T St. NW., Washington, D. C.....	State Department, Washington, D. C.....	5,180.00
Darel McConkey.....	509 Fontaine St., Alexandria, Va.....	Department of Interior, Washington, D. C.....	6,230.00
Cora L. Moen.....	5327 16th St. NW., Washington, D. C.....	Office of Price Administration, Washington, D. C.....	2,650.00
Elizabeth H. Oleksy.....	1620 Fuller St. NW., Washington, D. C.....	Office of War Mobilization and Reconversion, Washington, D. C.....	2,090.00
Mary Jane Oliveto.....	500 B St. NE., Washington, D. C.....	National Housing Agency, Washington, D. C.....	2,100.00
Francis C. Rosenberger.....	5814 64th Ave., East Riverdale, Md.....	Office of Price Administration, Washington, D. C.....	6,230.00
Herbert Schimmel.....	3604 Minnesota Ave. SE., Washington, D. C.....	Office of War Mobilization and Reconstruction, Washington, D. C.....	9,012.50

H. M. KILGORE, Chairman.

**BILL AND JOINT RESOLUTION
INTRODUCED**

A bill and joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WHEELER:

S. 1804. A bill to make permanently effective certain provisions of law conferring military rank upon members of the Navy Nurse Corps and entitling them to pay and retirement benefits of commissioned officers; to the Committee on Naval Affairs.

(Mr. YOUNG introduced Senate Joint Resolution 139, directing the Secretary of the Interior to estimate the cost of reconstructing Ford's Theater, which was referred to the Committee on Public Buildings and Grounds, and appears under a separate heading.)

RECONSTRUCTION OF FORD'S THEATER

Mr. YOUNG. Mr. President, I ask unanimous consent to introduce for appropriate reference a joint resolution directing the Secretary of the Interior to estimate the cost of reconstructing Ford's Theater.

There being no objection, the joint resolution (S. J. Res. 139) directing the Secretary of the Interior to estimate the cost of reconstructing Ford's Theater, was received, read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. YOUNG. Mr. President, a visit to Washington, is to many an American family an experience of a lifetime, long planned for, and undertaken with a singleness of purpose and a sincerity of interest. To visit the Lincoln Memorial, the Capitol of the United States, and the White House, are great experiences in the lives of many of our people.

To those who love Lincoln, a visit to Ford's Theater is an additional experience long anticipated. But in visiting Ford's Theater they feel a distinct disappointment. They do not see the theater at all. On the floor is a thin black line outlining the position of the stage where the awful tragedy took place. On the wall is a single photograph of the stage, the box in which Lincoln sat, and the scenic setting of that play—the last ever presented in Ford's Theater.

On the 4th of March 1865, President Lincoln was inaugurated for his second term. His address, which is enshrined in the memorial, was one of the most beautiful ever delivered by this great man. In the midst of a trying ordeal, he sought by calmness to inspire his countrymen. He asked that they "with malice toward none, with charity for all," go about the work of healing the Nation's wounds and restoring a political and social fellowship throughout the Nation.

The War Between the States had not yet ended. But President Lincoln became a symbol of a new spirit that was manifest in the other great leaders of the day.

On the 9th of April General Lee surrendered to General Grant at Appomattox Courthouse. Grant directed that the men should keep their horses because they would need them for the spring plowing. And that great leader of the South, General Lee, when urged by some of his own officers to carry on in small

fighting squads, stated, "You must remember we are a Christian people. For us as a Christian people there is now but one course to pursue. These men must go home and plant crops, and we must proceed to build up our country on a new basis."

President Lincoln in these times acted with sober motives and a kindliness of judgment. Then suddenly on the 14th of April, 5 days after Lee's surrender, he was struck down. On that evening he attended Ford's Theater with his wife and a party of friends. During the course of the play an assassin slipped into the President's box and shot him through the brain. Lincoln fell forward in his seat; he was carried to a home directly across from the theater and lingered in an unconscious state until he died the following morning.

Thus ended the life of one who was prudent, farsighted, and resolute; thoughtful, calm, and just; patient, tenderhearted, and great. The manner of his death consecrated his memory. The American people placed him in his tomb, mourning the one who fell when he could least be spared, the spirit that he had instilled in his countrymen died with him.

Therefore, Mr. President, although nearly 81 years have elapsed since that tragic event, it is not too late to bring back to the American people a vision of exactly what occurred. The home in which he died, located at 516 Tenth Street, is a Lincoln shrine and is intact. It is very unfortunate that the theater across the street is not also intact. The restoration of the stage, the boxes, and the scenery in Ford's Theater is a duty which should be carried by us all. It is not a question of the cost. Each visitor is now charged by the Department of the Interior an admission fee. These moneys could be applied to the cost of restoration. I look to the earliest possible restoration of Ford's Theater. Not just the stage, boxes, and scenery but the chair in which the immortal Lincoln last sat and the flag that draped his box.

**FAIR EMPLOYMENT PRACTICE ACT—
AMENDMENT**

Mr. MORSE submitted an amendment in the nature of a substitute intended to be proposed by him to the bill (S. 101) to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry, which was ordered to lie on the table and to be printed.

**PROSPECTIVE LOANS TO CERTAIN
FOREIGN COUNTRIES**

Mr. LANGER submitted the following resolution (S. Res. 226), which was referred to the Committee on Banking and Currency:

Resolved, That the Secretary of State is requested to transmit to the Senate at the earliest possible date detailed information as to what countries, other than the United Kingdom, have commenced negotiations with a view to obtaining loans from the United States, together with his recommendations concerning the amounts which should be loaned to the following countries in the event they have requested or hereafter request such loans: China, the Union of Soviet Socialist Republics, France, Argentina, Australia, the Kingdom of Belgium, Bolivia, Brazil, the

Byelorussian Soviet Socialist Republic, Canada, Chile, Colombia, Costa Rica, Cuba, Czechoslovakia, Denmark, the Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Greece, Guatemala, Haiti, Honduras, India, Iran, Iraq, Lebanon, Liberia, the Grand Duchy of Luxemburg, Mexico, the Kingdom of the Netherlands, New Zealand, Nicaragua, the Kingdom of Norway, Panama, Paraguay, Peru, the Philippine Commonwealth, Poland, Saudi Arabia, Syria, Turkey, the Ukrainian Soviet Socialist Republic, the Union of South Africa, Uruguay, Venezuela, and Yugoslavia.

**HOUSE BILLS AND JOINT RESOLUTION
REFERRED**

The following bills and joint resolution were severally read twice by their titles and referred as indicated:

H. R. 262. An act for the relief of Robert M. Winkle;

H. R. 804. An act for the relief of Mrs. Trixie Minnie Twigg;

H. R. 841. An act for the relief of Lander H. Willis;

H. R. 1037. An act to confer jurisdiction upon the United States District Court, Southern District of Florida;

H. R. 1217. An act for the relief of Hutchinson's Boat Works, Inc., and others;

H. R. 1238. An act for the relief of Father Peter B. Duffee;

H. R. 1264. An act for the relief of Lt. Col. John P. Maher, Field Artillery Reserve, Army of the United States;

H. R. 1399. An act for the relief of Mrs. Lucy Palmisano and the legal guardian of Anthony Palmisano, Jr.;

H. R. 1721. An act for the relief of Eli L. Scott;

H. R. 1732. An act for the relief of Mrs. Marie A. Shedd, Mrs. Maude C. Denney, and Mrs. Mabel Glenn Gray;

H. R. 1788. An act for the relief of Mr. and Mrs. Conrad Newman;

H. R. 1950. An act for the relief of Harry Cohen;

H. R. 1980. An act for the relief of Maj. Edward A. Zaj;

H. R. 2011. An act for the relief of the estate of J. Earl Evans;

H. R. 2167. An act for the relief of Arvis Welch;

H. R. 2244. An act for the relief of Edward W. Thurber;

H. R. 2246. An act for the relief of the estate of Michael O. Mello, and Christian O. Mello;

H. R. 2415. An act for the relief of Joseph Tarantola and Ida Tarantola;

H. R. 2480. An act for the relief of Wesley A. Mangelsdorf;

H. R. 2528. An act for the relief of Mr. and Mrs. James Sherry;

H. R. 2956. An act for the relief of Therese R. Cohen;

H. R. 3003. An act for the relief of Mary G. Paul;

H. R. 3050. An act for the relief of David Siskind;

H. R. 3121. An act for the relief of Elizabeth M. Simmons and Robert H. Simmons;

H. R. 3126. An act for the relief of Mrs. Jean Taube Weller;

H. R. 3127. An act for the relief of Harry F. Vinton, Jr.;

H. R. 3158. An act for the relief of Leonard J. Fox and Milford G. Fox, a partnership, doing business as Fox Co.;

H. R. 3159. An act for the relief of Ernest Pedro Ferreira;

H. R. 3177. An act for the relief of James J. Barrett, Jr.;

H. R. 3301. An act for the relief of the legal guardian of James Herbert Keith, a minor;

H. R. 3430. An act for the relief of George F. Powell;

H. R. 3431. An act for the relief of F. W. Burton;

H. R. 3543. An act for the relief of the legal guardian of James Thompson, a minor; H. R. 3590. An act for the relief of Charles Brown, legal guardian of Lula Mae Brown; Charity Hospital of New Orleans, La.; and Dr. Edward H. Maurer;

H. R. 3670. An act for the relief of the estate of Venancio Llacuna and others;

H. R. 3828. An act for the relief of James R. Vaughan;

H. R. 4054. An act for the relief of H. A. Edd;

H. R. 4176. An act for the relief of the estate of Earle R. Woodfall, Jr., deceased;

H. R. 4253. An act for the relief of Mrs. Beatrice Brisbin, and the legal guardians of Wynona Gene Brisbin, Nelda Elaine Brisbin, Gwendoline Louise Brisbin, and Jacqueline Nadine Brisbin, minors;

H. R. 4335. An act for the relief of the Morgan Creamery Co.;

H. R. 4797. An act to confer jurisdiction upon the United States District Court for the Eastern District of Virginia to determine the claim of Lewis E. Magwood;

H. R. 4957. An act for the relief of Herman Gelb; and

H. R. 5010. An act for the relief of Mrs. May Holland; to the Committee on Claims.

H. R. 1616. An act to grant an honorable discharge from the military service of the United States to William Rosenberg; to the Committee on Pensions.

H. R. 3573. An act for the relief of George Pathy; to the Committee on Immigration.

H. R. 4027. An act authorizing sale of the allotment of LeRoy Milliken on the Crow Indian Reservation, Mont.;

H. R. 4034. An act authorizing the issuance of a patent in fee to Alice Yarlott Othervicline; and

H. R. 4035. An act authorizing the issuance of a patent in fee to Wilbert Keiser; to the Committee on Indian Affairs.

H. R. 5258. An act granting a renewal of Patent No. 113,244, dated February 7, 1939, relating to the flag of the Church of God; to the Committee on Patents.

H. J. Res. 243. Joint resolution tendering the thanks of Congress to General of the Army George C. Marshall, and the members of the Army of the United States who have fought under his direction during the wars; and providing that the President of the United States shall cause a medal to be struck to be presented to General Marshall in the name of the people of the United States of America; to the Committee on Military Affairs.

THE AMERICAN ARMY—ADDRESS BY SECRETARY PATTERSON

[Mr. McMAHON asked and obtained leave to have printed in the RECORD an address by the Secretary of War at the annual meeting of the American Jewish Committee, at the Waldorf-Astoria, New York City, February 3, 1946, which appears in the Appendix.]

NATIONAL FOREIGN TRADE CONVENTION—FINAL DECLARATION OF THIRTY-SECOND MEETING

[Mr. MURRAY asked and obtained leave to have printed in the RECORD the Final Declaration of the Thirty-second National Foreign Trade Convention, held in New York November 12 to 14, 1945, which appears in the Appendix.]

THE END OF THE RIDE—ARTICLE BY MILTON MAYER

[Mr. WHEELER asked and obtained leave to have printed in the RECORD an article entitled "The End of the Ride," written by Milton Mayer, and published in the Progressive of January 28, 1946, which appears in the Appendix.]

APPEAL FROM DECISION OF THE CHAIR ON CLOTURE MOTION

The Senate resumed consideration of the appeal of Mr. BARKLEY from the de-

cision of the Chair sustaining the point of order of Mr. RUSSELL that, under the rule, the presentation of the cloture motion on the FEPC bill was not in order.

Mr. ELLENDER. Mr. President, I wish first to apologize to my distinguished colleagues who have led the fight on the pending bill for not having been more active during the debate. I have been busily engaged before the Senate Committee on Education and Labor on a bill, which in its original form, was almost as far reaching as the pending measure. I believe the two measures taken together could be termed "the Gold Dust Twins."

The pending FEPC bill has as its objective the forcing of an employer to hire men and women not of his choosing. The minimum wage bill, as originally introduced, had as its objective the creation of authority in the hands of an administrator to select advisory committees for each industry, with full power in the hands of these advisory committees to fix minimum wages from the point fixed by the bill itself, the minimums varying from 65 cents to 75 cents and on up. In other words, these advisory committees under the so-called minimum wage bill would have had the authority to go into every industry of this Nation; they would have been in a position to classify every jobholder, from the floor sweeper on up to the highest paid, and fix for those employed in each classification a minimum wage along the lines sought to be established in the minimum wage bill. So we would have had this condition existing: One measure, the pending one, designed to tell an employer whom he should employ, and the other designed to state how much he should pay to each of those employed.

Mr. President, there is no doubt in my mind that the enactment of such bills would result in the severest blow ever attempted to be struck by the Congress at our citadel of freedom. I have no hesitancy in saying that if the pending measure, as written, should be enacted into law, and if the minimum wage bill, as written, should be enacted into law, we might as well hang black crepe on the door of free enterprise. The forces which are striving to have the pending bill enacted are the same as those which have been at work attempting to have the minimum wage bill, to which I just referred, enacted into law.

Mr. President, our country has made great progress since the Declaration of Independence was signed and the Constitution became our bible, so to speak. No nation which now exists and no nation which existed in the past ever made as great progress as has the United States. The progress we have made is attributable to the freedom enjoyed by all our citizens under the American flag.

One can well imagine what would have happened to this great Nation of ours in the past 25 or 26 years, when our way of life was at stake had we not been in a position to make the implements of war. Freedom of enterprise made it possible for us to become the arsenal of democracy. Because of the freedom we enjoy, we have become the greatest industrial nation in the world, and as such we were able not only to equip ourselves to fight the foe, but to help our allies in their efforts to conquer him.

Mr. President, south of us there is a nation which is territorially larger than ours. I refer to Brazil, which is older than our nation. It has more natural resources than we have. Why has Brazil not progressed as we have? I shall speak of that in further detail later. For the present let me say it is because the white men who settled on its shores intermarried with the natives. Negroes were brought from the dark continent of Africa and made the slaves of the Brazilian people, marriage between the Negroes and the natives was permitted, and in a few generations Brazil had a mongrel race, and because of it no progress.

Mr. President, I ask this question: Suppose the same thing had occurred in this Nation; suppose there had been mongrelization here; where would we be today? Could we have prepared successfully to meet the foe which sought to destroy our way of living and our country? Of course, the answer is a loud "No."

Mr. TUNNELL. Mr. President, will the Senator yield to me so I may make an announcement?

Mr. ELLENDER. I gladly yield, Mr. President, on condition I do not thereby lose my right to the floor.

Mr. TUNNELL. Mr. President, I rise to announce that the Senator from New Mexico [Mr. CHAVEZ] has been compelled to leave the Senate Chamber on the orders of the doctor. He has asked me to make that announcement, and to say that the Senator from New York [Mr. MEAD] will represent him on the floor.

I thank the Senator from Louisiana for yielding.

Mr. ELLENDER. Mr. President, I am truly sorry that my distinguished colleague the Senator from New Mexico is not present, because before proceeding further with a discussion of the bill I thought I would devote some time to the circumstances surrounding the hearings on the pending measure, as well as the hearings on S. 2048, which was reported to the Senate during the Seventy-eighth Congress. I think the Senator from New Mexico and a few other Senators stated on the floor of the Senate that the hearings had been thorough, that there had been no opposition witnesses, and that all who appeared were for the bill. I do not deny that. The reason for that is that every Senator appointed on the subcommittee to hold the hearings either had his name on the bill or was for it. No effort was made to select a Senator opposed to the bill to serve on the subcommittee which held hearings, as was done when S. 2048 was considered and reported to the Senate during the last days of the Seventy-eighth Congress.

In this connection I should like to refer to my correspondence to show the circumstances under which both S. 2048 and S. 101 were considered by the committee and reported to the Senate.

Mr. BILBO. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. BILBO. The Senator has made a very striking statement to the effect that the entire membership of the subcommittee which held hearings on the bill was in favor of the bill. What I want to know is whether there were members of the full committee who were opposed to the bill from among whom

members could have been chosen to sit on the subcommittee, so there might be a division of opinion on the subcommittee.

Mr. ELLENDER. Yes; I happen to be a member of the full committee. I was present and discussed the facts and circumstances surrounding the holding of the hearings, and made an effort to have the hearings reopened, and I shall in the course of my remarks state to the Senate exactly what happened. I have before me letters from the Senator from New Mexico himself copies of telegrams which I sent to the Senator from Utah [Mr. THOMAS] and the Senator from New Mexico, and also letters from the present chairman of the Committee on Education and Labor.

Mr. BILBO. Are we to presume that the chairman of the full committee, who very strongly favored this legislation, knew that the Senators he appointed on the subcommittee were all in favor of the bill?

Mr. ELLENDER. I will let the chairman himself explain through a letter which he wrote me. I shall read the letter into the RECORD and I believe it will answer the question asked by the distinguished Senator from Mississippi. I may say, however, that the distinguished chairman of the committee is not to blame as will appear from the correspondence I propose to place in the RECORD.

Mr. President, continuing my remarks with respect to the facts and circumstances surrounding the holding of hearings on the first bill, which had as its purpose the prohibition of discrimination in employment because of race, creed, color, national origin, or ancestry. On August 2, 1944, I received the following letter from the Senator from New Mexico:

DEAR SENATOR ELLENDER: Senator ELBERT D. THOMAS, chairman of the Senate Committee on Education and Labor, has appointed me as chairman of the subcommittee to give consideration to S. 2048 which has for its purpose, "To prohibit discrimination in employment because of race, creed, color, national origin, or ancestry."

You have been selected as a member of said subcommittee. As soon as it is determined definitely how long Congress will be in session the chairman of the subcommittee will advise you as to when hearings will be held.

Very sincerely yours,

DENNIS CHAVEZ.

On August 21 I received this letter from the Senator from New Mexico:

DEAR SENATOR: The initial hearings of the Senate subcommittee of the Committee on Education and Labor to consider S. 2048 which provides for the establishment of a permanent Fair Employment Practice Committee, will be held on Wednesday, August 30, at 10:30 a. m. in the Senate Education and Labor Committee room.

I do hope that it will be possible for you to be present.

There is a notation on this letter, made by me, to the effect that I had talked with someone in the office of the Senator from New Mexico, and was told that because Congress might recess shortly the hearings would be postponed. I naturally took it for granted that the hearings would be postponed, and that they would not be held until after we returned from

a short vacation, which was ordered by the Congress on September 21, 1944.

With the understanding that the hearings would not be held, I proceeded to my home in Louisiana, when, lo and behold! I saw in the newspapers that not only had the hearings been held, but that the whole committee would meet and report the bill to the Senate before recess. I ask Senators why that was done. We were to take a recess on September 21, to return in November after the elections of that year. Could anyone conceive that the bill could be enacted during the Seventy-eighth Congress? Of course not. As Senators know, all bills which are on the calendar at the close of a Congress die, and must be reintroduced. So the time left to enact this legislation after our return in 1944 was not sufficient, especially in view of the fact that we returned after the elections, and that the Christmas holidays were soon to be upon us. Furthermore, there was then pending much important legislation, which caused Congress to return to Washington.

When I heard about the situation I telegraphed to the Senator from New Mexico on September 18, 1944. The Senator from New Mexico had telegraphed to me on the same day asking my views on FEPC, and how I desired to vote before the committee. I replied as follows:

Am disappointed you held hearings on Senate bill 2048 during my absence. Before leaving Washington had telephoned your secretary asking that hearings be postponed until after recess. Having heard nothing further I naturally concluded hearings had been postponed. Am opposed to bill and expect to file minority report. Hope you will not press matters until after November elections.

The matter referred to in the last sentence of that telegram was the report of the bill itself to the Senate.

What happened? A notice was sent to my office suggesting that I be present at a committee meeting on September 20, 1944, which was to be held for the purpose of reporting the bill. Bear in mind that on the twentieth there were few Senators in the city. On the next day we were to take a recess. The bill was reported back from the committee on September 20, and the Senate took a recess on September 21.

The following notation was made by my secretary:

Clerk of Education and Labor Committee says you did not receive notices of committee meetings because CHAVEZ had not informed him that you had been appointed as a member. He says nothing will be done on the bill before recess, and his personal belief is nothing will be done after recess either since the subject is so highly controversial.

That is substantially the statement which I made a little while ago—that even though the bill were reported to the full committee there was no opportunity to take it up because it was so controversial.

That is the episode so far as Senate bill 2048 is concerned. When the new Congress assembled, a year ago last January, another move was made—

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield.

Mr. EASTLAND. Did I correctly understand the Senator to say that he was

appointed on a subcommittee which was to hold hearings on Senate bill 2048, and was not notified when those hearings were to be held?

Mr. ELLENDER. The only notice which I received, and which I read into the RECORD, was the one sent to me on August 21, stating that the hearings would begin on Wednesday, August 30. I received that notice; but when I received it I was about to leave for my home. Whereupon I got in contact with the office of the Senator from New Mexico, and I was given to understand that the hearings would not be held until after the recess. When I was given that assurance, I left for home. I wish to make it plain that I did not receive such assurance from the Senator from New Mexico, but from one employed in his office. I learned about the hearings after they had been completed. When I learned that the hearings had been held, I was at my home.

Mr. EASTLAND. Mr. President, will the Senator yield for a further question?

Mr. ELLENDER. I yield.

Mr. EASTLAND. As I understand, the Senator had been assured by someone in the office of the Senator from New Mexico that hearings would not be held.

Mr. ELLENDER. Exactly, as I have just indicated. I repeat that ends the episode so far as the hearing on Senate bill 2048 are concerned. As to the pending measure, the hearings were held without giving me notice; and I do not believe that any member of the full committee who was not a member of the subcommittee received notice.

Now, who were the members of the subcommittee? I will tell you: The Senator from New Mexico [Mr. CHAVEZ] was chairman. The other members were the Senator from Delaware [Mr. TUNNELL], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from Wisconsin [Mr. LA FOLLETTE], and the Senator from Vermont [Mr. AIKEN].

As to the subcommittee to hold hearings on Senate bill 2048, let me say that, as I recall, there were seven members and the hearings were held in the presence of only two Senators, the Senator from New Mexico [Mr. CHAVEZ] and the Senator from Vermont [Mr. AIKEN]. No other member was present.

When I learned that hearings on the pending bill had been held, and I had not been notified, I wondered what the trouble was. So on May 16, 1945, I wrote the following letter to the Senator from Montana [Mr. MURRAY], who—

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. OVERTON. What position did the Senator from Montana occupy at that time?

Mr. ELLENDER. I was coming to that. He was then chairman of the committee. When Senate bill 2048 was considered the Senator from Utah [Mr. THOMAS] was chairman, and I had been appointed by him on the subcommittee to hold hearings. When the Seventy-ninth Congress was organized the Senator from Utah became chairman of the Committee on Military Affairs, and the Senator from Montana succeeded him as chairman of the Committee on Education and Labor.

On May 16, 1945, I wrote the following letter to the Senator from Montana:

I was very much surprised and disappointed yesterday when I was informed that the hearings on the so-called FEPC bill had been concluded.

Last year I was appointed a member of the subcommittee that held hearings on the bill. When I left for Louisiana, I had an understanding with Senator CHAVEZ's office that the hearings would not be conducted until my return. To my surprise, however, they were held during my absence.

As this is a very important bill, I thought surely that members of the subcommittee would at least be notified when the subcommittee held its hearings so that they could be present if they so desired.

I had intended to be present when the hearings were held so as to examine some of the witnesses, and it was also my intention to suggest that certain witnesses be called.

Yours very truly,

In answer to that letter to the Senator from Montana, on the next day I received from him the following reply:

Hon. ALLEN J. ELLENDER,
United States Senate,
Washington, D. C.

DEAR SENATOR ELLENDER: I have your letter of March 16—

That is the one I have just read—
regarding the hearings of Senator CHAVEZ's committee on the so-called FEPC bill.

When I appointed this subcommittee I called Senator CHAVEZ to ascertain the membership of the committee that was appointed last year.

That is the one I was on last year.

The list furnished me did not include your name. Had I known that you desired to serve on this subcommittee I most certainly would have appointed you as a member. Since you had not made known any such desire, I assumed that there could be no objection to reappointment of last year's subcommittee. Following this same course, I have reappointed you as a member of the labor subcommittee and chairman of the housing subcommittee, both of which assignments you had in the last Congress.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield for a question.

Mr. OVERTON. I desire to ascertain from the Senator whether in connection with consideration of Senate bill 2048, the 1944 bill, he was the only member of the Committee on Education and Labor who was opposed to the FEPC who was appointed on the subcommittee.

Mr. ELLENDER. That is my recollection.

Mr. OVERTON. Then, as I understand, when the subcommittee was appointed on the new bill, the Senator from Louisiana, who was the only member of the former subcommittee who was opposed to FEPC, was not reappointed as a member of the new subcommittee; is that correct?

Mr. ELLENDER. The Senator is correct.

Mr. OVERTON. Very well.

Will the Senator yield, so that I may ask another question?

Mr. ELLENDER. Certainly.

Mr. OVERTON. At that time was the Senator from Alabama [Mr. HILL] a member of the Committee on Education and Labor?

Mr. ELLENDER. He was.

Mr. OVERTON. He was not appointed on the subcommittee at all; was he?

Mr. ELLENDER. No.

Mr. OVERTON. Was the Senator from South Carolina [Mr. JOHNSTON] a member of the committee?

Mr. ELLENDER. Yes; but he was not appointed to the subcommittee.

Mr. OVERTON. Was the Senator from New Jersey [Mr. SMITH] appointed to the subcommittee?

Mr. ELLENDER. No; he was not.

Mr. OVERTON. I think the Senator stated the names of those who were appointed to the subcommittee.

Mr. ELLENDER. The only Senators appointed by the Senator from Montana [Mr. MURRAY], at the request of the Senator from New Mexico [Mr. CHAVEZ], were the Senator from Delaware [Mr. TUNNELL], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from Wisconsin [Mr. LA FOLLETTE], and the Senator from Vermont [Mr. AIKEN].

Mr. OVERTON. I thank the Senator.

Mr. ELLENDER. Mr. President, I continue to read from the letter dated March 17, addressed to me by the Senator from Montana:

Senator CHAVEZ, as chairman of his subcommittee, set the hearings and I assume gave such notice as has been customary for such subcommittees. I should think that if you will be Senator CHAVEZ that you desire to have additional witnesses heard, he will reopen the hearings. However, if this is not arranged, I will be glad to have any witnesses you designate heard by the full committee when the subcommittee submits its report.

Yours very truly,

JAMES E. MURRAY,
Chairman.

Following the receipt of that letter, I wrote the Senator from Montana as follows, on March 23, 1945:

Hon. JAMES E. MURRAY,
United States Senate,
Washington, D. C.

My DEAR SENATOR: I have your letter of March 17—

That is the one I have just read—

I am hereto attaching copy of a letter dated August 2, 1944 from Senator DENNIS CHAVEZ, which is self-explanatory—

That is the one I read a moment ago, showing my appointment by the Senator from Utah during the Seventy-eighth Congress—

and also copy of a letter from him dated August 21. After receiving the letter of the 21st, I telephoned Senator CHAVEZ's office and I understood that the hearings would be postponed until after the recess of Congress. Although I was promised that the hearings would be postponed, I was informed that the hearings had been held, whereupon I sent to Senator CHAVEZ a telegram dated September 18, copy of which I am hereto attaching. I am also attaching a copy of a telegram dated September 19, 1944, that I addressed to Senator THOMAS, which is self-explanatory.

All the letters and telegrams referred to in the letter have already been read and placed in the RECORD.

I read further from my letter:

You will see from the attached correspondence that I was a member of the subcommittee that considered the so-called FEPC bill which was introduced during the Seventy-eighth Congress. I don't know at the moment of any particular witnesses that I

would like to have summoned before the committee for a hearing, but I would have liked to cross-examine the witnesses who presented themselves, with a view of eliciting from them information as to how FEPC works and obtaining a record of all cases handled by FEPC since it was created.

I was appraised by many of my constituents of efforts of the FEPC to encroach on quasi-private businesses such as the telephone companies and railroad companies of the country in the matter of employment of a certain percentage of colored people.

With best wishes,
Sincerely yours,

To the letter I have just read, I received the following reply from the Senator from Montana, dated March 28, 1945:

My DEAR SENATOR: Thank you for your letter of March 23 with the enclosed correspondence between you and Senator CHAVEZ.

Now Mr. President, listen to this:

Apparently I was misinformed when notified of the membership of the subcommittee last year. I assure you that I regret very much that you were not again appointed on the subcommittee and that the oversight was purely a case of misinformation.

I hope that if there is any way I can rectify it you will call upon me.

With best wishes, I am,
Sincerely yours,

JAMES E. MURRAY,
Chairman.

At the meeting of the committee at which it was decided to report the bill, the Senator from Montana kindly offered to reopen the hearings so as to enable me to present the testimony of any witnesses whom I desired to call. I could not see much advantage in that procedure as I wanted also to examine witnesses who previously appeared in favor of the bill. I thought I might point out to them the inequities which the bill contained and which would take away from our citizenry cherished liberties.

Mr. EASTLAND. Mr. President, will the Senator yield for a question.

Mr. ELLENDER. I yield.

Mr. EASTLAND. The Senator has read the hearings. Did he see in them a single instance of any witness who appeared in favor of the bill having actually gone into the mechanics of it, and discussed its provisions?

Mr. ELLENDER. I doubt if any witnesses who appeared before the committee knew what the bill contained.

Mr. EASTLAND. Is it not very strange that a bill which, according to the Gallup and other polls, is opposed by a majority of the people of the United States, as well as by church organizations and trade bodies, should have been reported favorably by the committee without the committee having heard witnesses who might have opposed the bill? I may invite the attention of the Senator to the fact that a few months ago the city of Los Angeles refused to adopt an ordinance embodying provisions of the kind which are contained in the pending bill. Does it not appear strange to the Senator from Louisiana that no one appeared before the committee to testify in opposition to the bill?

Mr. ELLENDER. Mr. President, far be it from me to accuse my colleagues of any ulterior motives in connection with the hearings which were held on Senate bill 101. However, I believe, that the

correspondence in my possession, all of which I have read, shows what took place. As shown by the hearings, not one single, solitary witness before the committee testified against the bill, and I attribute it to the fact that no one who was not in favor of the bill was invited to appear before the committee and testify.

Mr. EASTLAND. I agree with the Senator; I would not charge any of my colleagues with ulterior motives, but it is very strange to me that no one appeared in opposition to the bill when the majority of the people of the country are opposed to it.

Mr. ELLENDER. I read various newspapers almost every day, or at least when I have time to do so. In my reading of the newspapers which were published during the period in which the hearings were held on this bill, I observed nothing concerning those hearings. As a rule, when hearings are held on an important bill, the newspapers carry some reference to them. It may be that the newspapers did carry some reference to the hearings then being held; but if so, I did not see it. The Senator from New Mexico [Mr. CHAVEZ], the chairman of the committee, knew that I was a member of the subcommittee during the previous Congress. He knew my interest in the subject. As the Senator from Montana has suggested, my name was not submitted by the Senator from New Mexico so that I could be reappointed to the committee. The reason I desired to be reappointed was to make sure that some member of the subcommittee would examine the witnesses who might appear before the committee, and obtain their views with reference to the implications involved in the bill. However, that opportunity was denied, and Senators must take the record as it has been written and form their own conclusions with reference to the implications which have been incorporated in the bill.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. OVERTON. I have not read the hearings on this bill, and I do not know as I shall ever read them. However, as chairman of subcommittees during my tenure of office in the Senate, I have had occasion to conduct hearings on many legislative proposals. It has been my experience that the chairman and the clerk of the committee, as well as the chairmen of subcommittees, receive resolutions from various organizations, both public and private, in respect to bills in which there is considerable public interest, as well as letters from prominent citizens. I always put such resolutions and letters into the record when a request is made to do so. I presume the record to which the Senator has referred does contain expressions of opposition to the pending bill.

Mr. ELLENDER. Not one single complaint against the bill is shown in the record.

Mr. OVERTON. My office has received various resolutions against the FEPC bill, and I am quite sure that the files of the Committee on Education and Labor show that quite a number of such resolutions were sent to that committee.

Mr. ELLENDER. The only evidence appearing before the committee handling the pending bill was evidence which was submitted by proponents of the measure, and not one single, solitary word was said by anyone in opposition to the measure.

Mr. OVERTON. I thank the Senator.

Mr. ELLENDER. Mr. President, I now desire to explain at least some aspects of the genesis of this bill. It has been said on the floor of the Senate that the bill is designed to protect the minority races, and that it was fostered by all minority groups. I shall proceed to show that back of the bill is a small clique of Negroes who live in and about the city of Washington, and who prey on the ignorance of the colored people. To maintain their suites in Washington and carry on the big lobby which is now in evidence on the pending bill requires money, and this little group of selfish colored people are attempting to represent the 13,000,000 colored people who are scattered all over this country, principally in the South.

I am sure that, if I were to go to my State tomorrow and travel over it for a week, I could not find a handful of colored people who knew anything about FEPC. They would not know what it is about. We hear very little talk about such a measure among them.

Mr. President, in order to prove what I say, let me quote from an article in the American, the issue of January 1943, beginning at page 37. The article was written by William H. Birnie, and the opening paragraphs read as follows:

It has been a red-letter day for a powerful organization, heretofore unpublicized, known as the Black Brain Trust.

This Black Brain Trust consists of about 25 Negro leaders—

If I said 100, I made a mistake; it is 25, instead of 100—

who have assumed command of America's 13,000,000 Negroes in their fight for equality. They hold informal meetings to plan their strategy, whether it is to defeat a discriminatory bill in Congress or to overcome prejudice against a black private. Few white men know it, but they have already opened a new front in America—a front dedicated to the liberation of the dark races.

Some white leaders accuse them of "taking advantage of the war." They boldly admit it, insisting that if this is a war for liberty they want theirs. They argue that their fight serves the American cause on two fronts: It will put an end to the apathy of many Negroes toward a war in which they say they have no real stake, and it will secure America's position abroad among the black, brown, and yellow peoples of Central and South America, India, Malaya, Burma, and China.

Mr. President, I shall not read further in respect to what their plans are except to read into the RECORD what they want. This article, as I have said, appeared back in January 1943:

The final objective of the Black Brain Trust, as outlined to the author of this article, is economic and political equality for Negroes—total abolition of "second-class citizenship." But the immediate program embraces this eight-point program.

Mr. President, here is another admission that the purpose of this whole plan is to give to the colored people political and economic equality, and I propose to show

before I conclude that political equality will lead to social equality, and social equality to a degradation of our race. I propose to prove that from history. I propose to show the greatness of Egypt at one time, and how, after she imported Ethiopians in order to help her build the Pyramids and the Sphinx, in less than 500 years the head of the Egyptian Government was a mulatto, and the Egyptian people came to naught as a great power.

I shall show the same with respect to India, which is one of the most thickly populated countries of the earth. Does it not seem strange that a little handful of Britishers—10 percent of the population of Great Britain—can rule the destinies of 400,000,000 people? That is what is occurring today in India. I attribute that to the fact that India lost her power as a nation when she permitted the white people of that country to amalgamate with other races of people, both the yellow and the black.

Mr. President, I shall go into detail later in my presentation of the subject. I may take a long time to do it; I may repeat; but it is worth while. I am not speaking for this generation, I am not speaking for my son's son, because it will require a much longer period than two generations to make a mongrel race out of our people, but I wish to offer it as a warning to our people in the light of past history.

As I stated a moment ago, we do not have to go very far back to determine what mongrelization will do to a people. I have never feared the people to the south of us. I have never feared Mexico, or the Central American countries, or the countries of South America, for the reason that virtually all those countries, with very few exceptions, are populated by a mongrel race, which is unable ever to progress ahead of the American people. So far as I am concerned, I wish to give warning now, and I expect to repeat it and repeat it, that we must take heed lest we may realize the danger too late.

Mr. President, I wish to read further from the article to which I referred, entitled "The Black Brain Trust."

Mr. EASTLAND. Mr. President—
The PRESIDING OFFICER (Mr. BYRD in the chair). Does the Senator from Louisiana yield to the Senator from Mississippi?

Mr. ELLENDER. I yield.

Mr. EASTLAND. The Senator spoke of amalgamation in India, and the mongrelization of the race. Does not the Senator think that the policies of certain States, particularly the State of New York, where it seems to be the State policy to repeal the segregation laws and to throw the races into social contact, will result in racial amalgamation?

Mr. ELLENDER. The Senator has anticipated me. I expect to show that. I have the statutes, which I expect to submit to the Senate, showing the extent to which politicians in the various States of the Union have gone in order to appease a miserable little group of colored people here and there, in order to win their support.

Mr. EASTLAND. Does not the Senator think that the pending bill is merely

an attempt to export Harlem democracy to the rest of the country?

Mr. ELLENDER. There is no question about it. The colored people in the pivotal States have been able, as it were, to induce small-time ward politicians to aid them in passing laws favorable to them. Those who are responsible for such laws are always hopeful that the colored people will not exercise the rights given to them under such laws.

I shall cite some statutes which were passed in Pennsylvania and in other States giving to colored people the right to be buried alongside white people in the same cemeteries. Why was such a law passed? Who instigated it? Does the Senator think the white people did?

Mr. EASTLAND. I think white politicians who were catering to Negro votes did it.

Mr. ELLENDER. There is absolutely no doubt about it.

Mr. EASTLAND. Men who placed political ambition above the welfare of their States and the welfare of their country.

Mr. ELLENDER. What is being attempted here is to put the movement on a national basis. Small groups in many States of the Union started the movement here and there. It may have taken them a good deal of time to accomplish their purpose but they succeeded. Let us not be fooled, Senators. The purpose of this bill, as well as other bills which I shall mention in the course of my remarks, is solely to try to win over Negro votes in various parts of the country, and for other reasons.

Mr. EASTLAND. And to win over other minority groups.

Mr. ELLENDER. Yes, but principally the colored. As I expect to show by reading from the article, I started to read a moment ago, those who proposed fair employment practice went to the White House and tried to put pressure on our late President, and as a matter of fact forced him, as the article goes to show, to do their bidding.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield.

Mr. EASTLAND. Does not the Senator from Louisiana agree with me that racial pride is one of the great things in life and that there is a concerted attempt among certain elements in our population to destroy racial pride in the breasts of white men, so that they can bring about a mongrelization of the races and destroy this country?

Mr. ELLENDER. I do not believe that is their intention, I will say to the Senator. I think they are innocent of such a purpose.

Mr. EASTLAND. But, of course, that will destroy this country.

Mr. ELLENDER. Yes; but I am not accusing those who would vote for this bill of that, because I do not believe they understand the implication of bills of this nature. The Senator knows what took place in the Senate in 1938. I participated in a debate against the anti-lynching bill.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield.

Mr. EASTLAND. The Senator made a great speech in 1938. He is making a

great speech today. I compliment him. He is preaching the funeral of FEPC, and I am glad to be here, not as a mourner, but in another capacity.

Mr. ELLENDER. Mr. President, I am very serious in what I am trying to tell the country, and I am satisfied that if the great men of this Senate would study past history to find what occurred in other countries because of amalgamation, because of mongrelization, they would not be for the bill. But many of them are willing to forget about that. Many of them are thinking, "How will it affect me in November when I run for offices?" That is what is in their minds, and nothing else. What they have in mind is the effect their voting for or against the bill will have upon the election in which they are involved.

Mr. President, I want to say further that I do not see how some Senators in whose States there is less than two-tenths of 1 percent colored can be for a bill of this kind. There is no reason for them to be for it from a political standpoint. The only reason why they are for it, as I see it, is that there is some kind of a national move, one embracing not only New Hampshire, where the colored population is small, but all the Northern States, in order to control the colored vote in eight or nine pivotal States of the Union where the colored vote, however it goes, will decide the national election.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER (Mr. O'DANIEL in the chair). Does the Senator from Louisiana yield to the Senator from Mississippi?

Mr. ELLENDER. I yield.

Mr. EASTLAND. Does not the fact that there appears to be a coalition between the Negro voters and certain other minorities, the PAC, the Communists, and the mongrels, all under the banner of liberalism, support the view that there is a concerted attempt to take over this country, and that this bill is bait which is thrown out by that same element to the Negro voters to hold them in line?

Mr. ELLENDER. I do not know, Mr. President. I would not venture to say, because I do not know, but my hope is that the proponents of this bill are going to view it in the light of what I have been talking about. Bear in mind that the bill in itself does not accomplish what I am now saying, but it is only a cog in the wheel.

The personnel of the present FEPC, who would be transferred to the new Commission and carry out the terms of the bill, include 65 colored out of 110 employed. By the way, talk about equalization of opportunity and of spreading employment on the basis suggested in the pending bill. The FEPC in the last couple of years has had as many as 111 or 112 employees and 65 of them were colored. Yet we hear talk about dividing jobs on the basis of the percentage of colored to the rest of the population, and of providing jobs without respect to race, color, creed, national origin, or ancestry. I will say to the distinguished Senator from Mississippi if a bill of this character were passed, with the powers vested in the Commission that the provisions of

the bill would vest in it. God alone knows what would happen, because it would simply lead to the adoption of other similar legislation which would take us further down the road of disaster and ruin. I have no doubt about that, Mr. President. I am surprised that Senators will not look as far into the future as I am trying to, and will not study the past history of countries which permitted themselves to be dominated by the colored race, or even the yellow race, or the Indian race, as was the case in Central and South America. I expect to be more specific about that before I take my seat.

Mr. President, before I was interrupted by the distinguished Senator from Mississippi—of course I do not mind being interrupted at any time—I was about to read further from the Black Brain Trust, an article written by William A. H. Birnie in the January 1943 issue of the American magazine. I read this article to show the Senate the manner and method by which the Executive orders were issued which created the Fair Employment Practice Committee. The matter was not discussed in ordinary tones, that is, "We think it is wrong, Mr. President, that the colored people of this Nation should not be given an opportunity to work"; but the way it was done was by threatening a march by 50,000 colored people on Washington. And because of that threat, as the article indicates, our late President sent for the master mind or the head man of the movement, and as I read the article it will explain better than I can tell what happened.

Probably the most telling action of the Black Brain Trust led to the second Presidential Executive order dealing with Negroes in American history, 78 years after the first—President Lincoln's Emancipation Proclamation.

Early in 1941 Negroes throughout the country were grumbling about their exclusion from defense jobs. The "brain trusters" decided to take direct action. A. Philip Randolph, president of the International Brotherhood of Sleeping Car Porters, an A. F. of L. union, with about 11,000 Negro members, proposed a mass march on Washington.

This man Randolph is a colored man, with offices in New York, and, as the article indicates, he is the president of this union which is composed entirely of colored people.

Soon there were reports that an army of 50,000 Negroes would march on the capital and picket the White House on July 1.

That was in 1941.

As the dead line approached, politicians put the screws on Randolph. "Don't do it," they argued. "You'll just inflame southern Senators and you'll be worse off than ever." A few years back that argument probably would have prevailed, but Randolph was adamant.

"The march must go on," he said. "I am sure it will do some good." Finally President Roosevelt himself summoned Randolph, White—

Senators know who White is. He has been living on the pennies collected by his colored association from many poor colored people all over the United States. I do not know how much salary he receives, but I am told that he is paid \$10,000 and expenses to represent the colored people. He is one of the 25

"brain trusters" who are handling the affairs of 13,000,000 Negroes, and, as I have just pointed out, I am sure without the knowledge or consent of more than a handful of them.

Finally President Roosevelt himself summoned Randolph, White, and several other Negro leaders to the White House. Besides the President, Secretary of War Stimson, Secretary of the Navy Knox, and key officials of the then existing Office of Production Management attended the conference.

Randolph told his story bluntly. He reported that doors of defense plants were being closed to Negro workers, and feelings were running high. He wanted a Presidential antidiscrimination order with teeth in it. A few days later, Randolph was called in again and shown the draft of an order committing defense industries only. "Not enough," said Randolph, in effect. Unless the order included Government agencies as well as defense industries, he was sorry but the march would take place as planned. The Negroes stood pat, and the administration gave ground. Executive Order 8802 was issued:

"That it is the policy of the United States to encourage full participation in the national defense program by all citizens in the United States, regardless of race, creed, color, or national origin . . . that all departments and agencies of the Government concerned with vocational and training programs for defense production shall take special measures appropriate to assure that such programs are administered without discrimination."

Listen to this, Mr. President and Senators—the few who are present—

"and that all contracting agencies of the Government shall include in all defense contracts hereafter negotiated by them a provision obligating the contractor not to discriminate."

"It was purely a knock-down-drag-out affair," Randolph told me when I talked with him in his union office above a drugstore in a Harlem loft.

Remember, the President of the United States, the Secretary of War, and the Secretary of the Navy participated in the conference.

"I don't want any one to think I called off that march on Washington permanently. That's still our ace in the hole. We could rally thousands of Negroes to stage it next week."

Mr. President, that is the manner of approach by these colored people in having our great President issue Executive Order No. 8802. It was done under threat of a march to Washington. Think of it.

In that order contractors were told that they had to write this nondiscrimination feature not only into the main contracts, but into all subcontracts. The bill which is now before the Senate has such a clause written into it. I am wondering what the difficulties would be with the General Accounting Office in the settlement of all the contracts entered into between our Government and private industry if it could be shown in some cases that there was discrimination. The Comptroller General may have the right to stop payment on the contracts, because of a violation of the nondiscrimination provision of the contract.

The bill goes still further and provides that if any discrimination is shown by a contractor he may be blackballed and prevented from obtaining future contracts. Think of such clauses being

written into all contracts. Such a thing would have a tendency to clog the work of our great Government. I can see what would happen, with little snoopers going around like a colony of ants, trying to find out this or that, in an effort to exercise the power proposed to be conferred by the bill.

No attempt was made by the administrators of the Executive order to go very far, because the Executive order could not provide the teeth. It was practically all gums. The teeth could not be provided because of lack of authority in the President. But give them power and see what will happen.

Mr. President, it is inconceivable that Congress should pass the pending bill or anything that resembles it. It would be a rape of the commerce clause of our Constitution to pass such legislation. So far as I am concerned—and I did not say it boastfully the other day, but I will repeat it—if I am given the privilege, I will talk on this floor as long as God gives me breath against such a bill as the one before us, or anything like it, because I can conceive what would happen in years to come to our great citadel of freedom, the freedom which has made this country great. It breaks my heart to see Senators take the position they assume.

Executive Order 8802 was first issued on June 25, 1941. It passed through various stages. First the administration of it was placed in the Office of Production Management; but for some reason or other the advocates of the proposal were not satisfied, so it was moved into the War Production Board. There further difficulties were encountered, which prevented the proponents from proceeding as they had planned. So the administration was placed in the War Manpower Commission.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. JOHNSTON of South Carolina. Does the Senator know that at the present time 83 percent of the personnel of FEPC consists of colored people, and only 17 percent white?

Mr. ELLENDER. A few moments ago I so indicated to the Senate. I did not know the exact percentages.

Mr. JOHNSTON of South Carolina. I hold in my hand a letter from Mr. Ross, giving the percentages.

Mr. ELLENDER. A moment ago I indicated the number. As the Senator has shown, the Committee on Fair Employment Practice does not itself practice fair practice.

Mr. JOHNSTON of South Carolina. Does the Senator know that 20 percent of its personnel is from the State of New York, and 20 percent from the District of Columbia, or a total of 40 percent from those two places? Is that fair employment?

Mr. ELLENDER. I am not surprised, because people from New York, the District of Columbia, Virginia, Maryland, and Pennsylvania—I do not wish to overlook Pennsylvania—hold a great many jobs in the Government. Of course the great State of Pennsylvania and the great State of New York, whence comes my good friend JAMES MEAD, are for this bill. I do not wish to accuse my good friend of ulterior motives. He is a fine

friend, but I know the condition in his State. I know of the large colored vote in Harlem, in Rochester, and in other sections of the State. The Senator from New York comes up for reelection next year; and, of course, he needs all the votes he can get. I for one do not wish to see him lose votes. But I am making an earnest effort to put before the American people the implications involved not only in this bill, but in legislation of a similar character which has been proposed time and again before Congress in an effort to appease certain minority groups, particularly the colored people of this Nation.

Mr. JOHNSTON of South Carolina. I know the Senator wishes to be fair to everyone, but I notice that of the 40 percent from Washington and New York, there is but one white person—only one in the whole outfit—according to the statement which I received this morning.

Mr. ELLENDER. I would not be surprised or disappointed if it were found that all of them were colored.

Mr. MEAD. Mr. President, will my distinguished colleague from Louisiana yield to me?

Mr. ELLENDER. Gladly.

Mr. MEAD. It is my understanding that only approximately 30 employees are left in the FEPC, and that nearly all of them are clerks and stenographers.

Mr. ELLENDER. That is also my understanding.

Mr. MEAD. I further understand that a goodly number who came from other jurisdictions transferred to other agencies when the appropriation was reduced, and that a number of the persons now working for the FEPC are working without pay.

Mr. ELLENDER. Yes. Of course, that is frequently the case in governmental work. It often happens that if the employees of a certain Government agency learn or believe that it is likely to peter out, as it were, they endeavor to transfer to some other agency. In other words, in this instance they anticipated that the Congress would not establish the FEPC on a permanent basis, and naturally they wanted to leave the ship—and I do not blame them.

Mr. MEAD. Mr. President, will my colleague yield to me again?

Mr. ELLENDER. I gladly yield for a question.

Mr. MEAD. I wish to congratulate the Senator from South Carolina because I am quite sure that if he will look over the roster of the United States Government he will find that some very lucrative positions, including Cabinet positions, are filled by citizens of his State. If he has had anything to do with that, I think he should be congratulated.

Mr. JOHNSTON of South Carolina. Mr. President, I also congratulate the Senator from New York, for if he will look back just a few short years he will find that at that time practically half the Cabinet positions were filled by citizens of New York.

Mr. MEAD. We lost those positions to South Carolinians.

Mr. ELLENDER. Mr. President, I ask the Senator from New York whether he has any further questions to ask.

Mr. MEAD. No; I was merely congratulating my distinguished friend the

Senator from South Carolina, who has done rather well.

Mr. ELLENDER. Of course, Mr. President, as the distinguished Senator from South Carolina has just stated, it has only been recently that the South has had any recognition. I think the present President is so close to the South that we can call him a southerner, and of course he has seen fit to divide up the patronage, as it were, and to give a little bit of representation to the South.

As was also pointed out by my good friend the Senator from South Carolina, prior to the advent of our present President most of the important positions in the Government, including the Presidency, were filled by New Yorkers. I am merely envious of them; I am not complaining.

Mr. MEAD. A few of the votes that made it possible for the President to serve also came from New York.

Mr. ELLENDER. Oh, yes. But if it had not been for the South's maintenance of the Democratic Party, the chances are it would have dissolved. We have stood by the Democratic Party through thick and thin, but I do not know what will happen in the future if these assaults against our section of the country are continued. I simply do not like it.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield to me?

Mr. ELLENDER. I yield.

Mr. JOHNSTON of South Carolina. Is it not true that in the South we have had quite a time holding the party in line, due to certain reactionary changes which have occurred in our Government? I wonder whether the South will continue to put up with the present tendency if it is maintained. Certainly there is a breaking point somewhere; is not that true?

Mr. ELLENDER. Yes. The people of the South are most patriotic. I do not mean to say that the people of the North are not equally patriotic. But we in the South have followed the Democratic Party because we love its principles and what it stands for. However, it has gradually gravitated away from the principles upon which it was founded. If these assaults are maintained, it may be necessary to make some changes. So far as I personally am concerned, if the methods which are now followed are continued and if they lead to the point of meaning the destruction of our freedom and our Nation, I do not know that I shall wish to follow that road. I myself may wish to change. That is what will happen if proposals of this nature continue to be advocated and fostered.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield again?

Mr. ELLENDER. I yield.

Mr. JOHNSTON of South Carolina. I merely wish to ask a question. At the last Democratic National Convention did not the Senator notice the effect of some of the things we have been talking about? Were not their effects felt at the last Democratic National Convention?

Mr. ELLENDER. Yes; and perhaps they will be felt at the next convention, although I hope not.

Mr. MEAD. Mr. President, will the Senator from Louisiana yield at this point?

Mr. ELLENDER. I yield.

Mr. MEAD. While we are discussing the possibility of a change of political affiliation, whether it relates to the individual or to the State, in view of the fact that the platform has just been brought into the discussion it might be well for us to review the record which has been made. The record shows that both the Republican platform and candidate and the Democratic candidate pledge their support to this particular legislation.

Mr. ELLENDER. The Senator from New York did not hear me praise the Republican Party; did he?

Mr. MEAD. No.

Mr. ELLENDER. It is just as bad, or perhaps worse, respecting its position on the pending bill, because it has put the matter in black and white in its platform. But no such pledge is to be found in the Democratic platform, and there is a good reason why it was kept out.

Mr. MEAD. I merely thought it would be appropriate to mention that point now, in view of the fact that the Senator from Louisiana has been speaking about the possibility of a change or transfer of affiliation. According to the record, there is no other place to go; they are all for this bill.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. JOHNSTON of South Carolina. In order to keep the record straight, let me say that no one can accuse me of threatening to go into the Republican Party. Down in my State we have whole counties where people do not even know what a Republican looks like, and I said so at the convention. However, let me point out that different lines of feeling or belief are to be found in the Republican Party. I do not wish to split my party, and I do not think any other good Democrat wishes to do so either.

Mr. ELLENDER. Mr. President, when I was interrupted a moment ago by the request to yield—and of course I was glad to give my good friend an opportunity to ask some questions—I was discussing the way the committee which was established under Executive Order 8802 started out in the Office of Production Management, then was shifted to the War Production Board, and finally landed in the War Manpower Commission. If the truth were known, I wager there was considerable conflict between the interests of the FEPC and those of the other three agencies. I have no doubt that another threat was made to the President, in an effort to have him make the existing FEPC committee an independent agency. So on May 27, 1943, by Executive Order 9346, a committee of seven was authorized. One of its members was to be chairman and the others were to be mere commissioners, with a per diem rate of pay. That agency was set out by itself; it was independent of the War Manpower Commission, independent of the War Production Board, and independent of the Office of Production Management. It could go into every industry in the country and make its own investigations, on its own

initiative; and although there were no teeth in the Executive order establishing it, it sought to harass many businessmen throughout the country. It went so far as to make attempts to go into private industries which were not engaged in interstate commerce. It attempted to dictate to quasi-public concerns which were not engaged in interstate business. I am sure there are very few Senators on this floor who have not heard complaints from their States in respect to such attempts on the part of the FEPC. Mr. President, there is no telling the extent to which a commission of this character would be prone to go if it had the power of subpoena, the power to investigate, the power to go into a man's business and force him to give up his books, and not only that, but the power to force him to testify, even though his testimony might incriminate him. That is something which is very seldom heard of, and yet this bill provides, in section 11 (c) that any man who is summoned, irrespective of the effect of his testimony from a criminal standpoint, is bound to answer to the Commission or its chosen investigators. The section contains language to the effect that if he gives testimony, he may not be prosecuted, but he is not protected should his testimony incriminate him as to the relation of a State, parish, county, or municipal law. I read section 11 (c):

No person shall be excused from attending and testifying or from producing books, records, correspondence, documents, or other evidence in obedience to the subpoena of the Commission, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture—

That language flies into the teeth of the Constitution of the United States and, I am sure, the constitutions of all the States of the Union.

I read further—

but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

Mr. President, every part and parcel of this bill seeks to take away from the American citizen the God-given rights which are guaranteed to him by the Constitution.

After the Committee on Fair Employment Practice was organized under the Executive order, and while from time to time it was snooping into the businesses of various persons and going a little further and further than it should have gone, the Congress, at the instance of the distinguished Senator from Georgia [Mr. RUSSELL], provided that the President could no longer use the funds appropriated for his use in maintaining the work of the Committee. Therefore, the Committee was required to come to Congress and ask for funds with which to operate. All of us know what took place when the appropriation bill was considered last year. The powers of the FEPC were considerably reduced, so much so that my good friend, the Senator from New York [Mr. MEAD] was

moved to say that today the Committee is a mere skeleton of what it originally was. I hope that later we will do a complete job of breaking up all the bones of that skeleton and thereby dismember it.

Mr. President, it is my contention that this bill is not necessary. I grant that there may have been some reason of an emergency nature to cause the President to take some such step during the war. I am complaining as to the manner in which it was done. As the Executive order stated, not all people were employed, and it was necessary to make an effort to insure their employment. However, I am satisfied that the same result could have been attained through the United States Employment Service then operating throughout the Nation. All such offices were clamoring for ship workers, welders, and so forth. No question was asked of a man as to his race, color, or creed. The question was, "Can you do the job?" If the applicant could do the job, he was employed. Our armed forces were being sent across the seas, and it was necessary to supply them with materials and arms. All industrialists were vying with each other for workers. The farmers of the Nation were short of help. I contend that the shortage of help would have eventually been supplied, and that there was no necessity in the first place for the President to exercise his wartime powers by creating the Committee on Fair Employment Practice.

Mr. President, as I indicated a while ago, this bill, as well as the Executive order to which I have referred, were fostered for and by the Negroes. I do not believe that any other minority groups had anything to do with either the Executive order or the bill. At least, I do not believe that they had anything to do with the Executive order until after the Committee had been formed. Those who have put on high pressure are groups from various pivotal States who are demanding that this or that be done, "or else we won't see you at the polls at the next election." That is the way the bill has been handled, and no other way. The record indicates and the facts show that of all the cases handled by the Committee on Fair Employment Practice, 78 percent affected colored persons. Ten percent of the complaints which were made were based upon religious grounds, principally those affecting Jews. Seven percent of the complaints were based on the ground of those affected being aliens, and 5 percent on the ground of national origin, involving, principally, Mexicans. But the astounding fact of all is that of the 78 percent of complaints affecting colored persons, only 25 percent originated in the South where 75 percent of the colored people of the United States reside.

Mr. President, I assert that so far as the South is concerned, there is no necessity whatever for this bill. The record further shows that most of the alleged discriminations took place within only a few States, such as California, Illinois, New York, Indiana, and a few others. Yet, Congress is asked to enact into law this iniquitous bill which would apply to all the States.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. EASTLAND. Do the records show any great amount of discrimination having been practiced in the country as a whole?

Mr. ELLENDER. Of course not. The record shows that only minor discriminations have taken place. Reference has been made in the Senate by the Senator from Maryland [Mr. TYDINGS] to something which occurred in Baltimore. Some group of colored people employed in a plant there wanted to use the same toilet that was being used by white persons. I understand that through some action which was taken by the Committee on Fair Employment Practice the manager of the industry was forced to remove the partitions. Such instances are few. They would never have originated if some of those poor devils had not been led to believe that the Committee on Fair Employment Practice had the right to prevent such alleged discriminations, although when they woke up they found that the committee was not as powerful as they had thought it was.

Mr. EASTLAND. The Senator heard the statement on yesterday of the Senator from Pennsylvania [Mr. GUFFEY], did he not?

Mr. ELLENDER. I heard only a portion of what he said.

Mr. EASTLAND. He said that the segregation of facilities, such as rest rooms for white and colored folk, was an unfair employment practice, and that the removal of such discriminations was one of the objects of the bill.

Mr. ELLENDER. Yes. I may say to the Senator from Mississippi that similar conditions prevail right here in Washington. I know certain persons who work in the War Department. When the President's Executive order made it necessary to employ a certain percentage of colored people in the various Government departments, the colored workers had been employed approximately only a month before they began to insist on using the same toilets which were used by the white employees and eating in the same cafeterias. Does the Senator know what occurred? I know of my own knowledge that some of the best obtained transfers. They are not now in their former employment. In some of the departments the work has been left entirely to colored employees. In some departments, colored employees exclusively are engaged in filing work. I understand that in one division of the War Department the filing clerks are exclusively colored employees. Officials of the War Department who find it necessary to go to that department and obtain files are unable to find them.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield.

Mr. EASTLAND. The State of Mississippi, under its police power, has a statute which prohibits races from eating in restaurants together. Suppose an industrial plant in that State, by virtue of the State law, operated two restaurants, one for whites and one for colored. Does the Senator think that if this bill should be enacted the Commis-

sion set up under it could step in and try to repeal the State statute?

Mr. ELLENDER. I doubt if it could, because as I understand the bill is being advocated as being constitutional, under the commerce clause. Of course, if the company referred to were engaged in interstate commerce, it would come within the purview of the proposed act.

Mr. EASTLAND. The proponents of the bill say it would. That is the object of it.

Mr. ELLENDER. No; as I pointed out a while ago, and as the Senator stated yesterday on the floor of the Senate, the object is to bring about social equality. That is the object, and nothing else.

Mr. EASTLAND. It is a plan to strike down the segregation statutes of the South.

Mr. ELLENDER. There is no question about that. I see that the Jim Crow law is before the Supreme Court today. I do not know what is going to happen, but I am apprehensive that the Judges who now adorn the bench might, with their present views, upset decisions of many years' standing.

Mr. President, in the hearings on the national war agency appropriation bill for 1945, it was shown that complaints of discrimination were few, that most of them were trivial and could easily have been settled through the United States Employment Service. As I indicated a moment ago, 75 percent of the complaints in respect to colored people originate in the North, where only one-fourth of the colored people reside.

If it were possible to look into this matter further, it would be found that these cases originated in cities like Detroit, Chicago, Los Angeles, San Francisco, and other large cities in the larger States of the North. So that if we were able to boil the matter down, as it were, and ascertain where each case originated, and if we were able to take a count of the colored people living in those localities, it would be found that 75 percent of the complaints originated where but a very small percentage of the colored people reside.

There is no necessity for such a bill as this. As the hearings on H. R. 4878, which I hold in my hand, show—and the statement came from the lips of the chairman of the FEPC, Mr. Ross—during 10 months of the last fiscal year 90 percent of the cases came from the North and West and only 10 percent from the South. The testimony shows further that 90 percent of the complaints came from the large cities, and, figuratively speaking, affected but a handful of colored people, compared with the entire colored population of the country.

What I do not like is that, merely because there may be some discrimination here and there in some of the larger cities—few in the South—some Senators are willing to saddle an infamous bill of this kind on the entire Nation. As I have said, it is not necessary, and in all the hearings that were held since 1943 on the bills which came before the Committee on Appropriations, the evidence showed that the number of cases in the South gradually decreased, until, as I have just indicated, in the last 10 months of the last fiscal year, only 10 percent of all the cases in the country originated

in the South, although 75 percent of the colored population of the Nation lives in the South.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield for a question.

Mr. TYDINGS. I have not given the bill the thought bestowed on it by the Senator from Louisiana and other Senators who have debated it on the floor of the Senate, and I should like to ask the Senator whether it is his understanding that the proposed regulation of employment would be applicable to organizations which are devoted exclusively to religious purposes.

Mr. ELLENDER. So the bill says.

Mr. TYDINGS. I glanced through the bill, and I did not see any exceptions. It occurs to me that if there were a vacancy in an educational institution which was devoted to some religious theology, irrespective of the question of race—I am not talking about that—a person might apply for a position as teacher in the institution who would be of a different religious faith from that of those who conduct the institution. So far as I have been able to read the bill, it seems to me that if a person were turned down solely because he was of a different religion, even though the school was devoted entirely to religion, there would be a violation of the act.

Mr. ELLENDER. There is no question about that. No exception is made. The bill is specific in basing the reason for discrimination on race, creed, color, national origin, or ancestry, without any limitation.

Mr. TYDINGS. Many religious groups maintain institutions of one kind or another—very worthy institutions they are, too, dedicated to the public good—in which the faith of those who subscribe or adhere to the particular religion permeates the whole atmosphere. If there should arise a vacancy in an institution of that kind, which I need not name, but which I am sure we can all visualize, under the terms of the bill I take it the institution might be compelled to employ one who was not of the religious faith in question.

Mr. ELLENDER. There is no question about it. Since the Senator raises that point, I call attention to the fact that I read a discussion of what would happen to the employees of the Christian Science Monitor. I understand the proprietors follow a certain policy, having employees of a certain faith. Whether that is true or not I do not know, but I read a discussion of it.

Mr. TYDINGS. I do not believe the law would be enforceable, even though it contained specific provisions, in the instance to which I called the Senator's attention, for the reason I shall now state. I do not refer to the Christian Science Monitor, but to religious institutions. The Constitution contains this provision:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.

The phrase "free exercise" of religion, liberally construed, in my opinion, would be broad enough to prevent the compulsory employment of a person in a religious institution who was not of the

faith to which the persons conducting the institution adhered. So, in that particular instance if the law compelled one sect to employ a person of another sect or faith, in my opinion it would contravene the first amendment to the Constitution, and in that instance I believe the court would hold that the Congress had not the power to compel such employment.

Mr. ELLENDER. I have no doubt of that, I will say to the Senator. I had in mind what the bill itself contained when answering questions propounded to me.

Mr. TYDINGS. I have just finished reading it. There is no exception in it.

Mr. ELLENDER. No; none whatever. A while ago I read subsection (c) of section 11, appearing on page 11 of the bill. Under the terms of that subsection, a man can be forced to testify, even though it can be shown that his testimony would incriminate him. Yet he must testify. That is in violation, I presume, of every State constitution, as well as of our Federal Constitution.

Mr. TYDINGS. Mr. President, I do not pose as a religious authority, but let me suggest to the Senator that when we talk about what we call religion we generally think of a man as a Jew, a Catholic, a Protestant, a Mohammedan, or what not. Religion is a way of life. It is not something detached from human existence. It is a part of our everyday activity. It is a philosophy. Any religion that one adheres to, whether it be Protestant, Catholic, Jewish, or what not, is a way of living. But most people think of this provision of the Constitution as dealing only with a man who goes to church. A man may be a great student of the Bible or of the words of Christ and never set foot in a church, yet he may be more religious than men who habitually go to church. We are apt to think of what we call religion as detached from human existence.

In my opinion, the amendment was written into the Constitution to protect a man in his philosophy of life, which is nothing more than being a man of God or an atheist. Certainly the Constitution protects an atheist, a man of no religion at all. It protects a man who has a religion. I am afraid that latterly in many considerations, and not only in connection with this bill, the intentment of the first amendment to the Constitution has been lost sight of. The intentment is to prevent coercion. When we apply that to a religious institution, it can easily be seen that such interference as I have suggested would violate the amendment.

But religion does not stop at the religious institution. One does not have to go into a religious institution. For example, the Catholics maintain many nunneries and many monasteries, and, of course, those who dwell therein have devoted their lives to the particular undertaking with which they are associated. But there are plenty of good Catholics who are not monks, who are not nuns, for example, just as there are plenty of Protestants who are not ministers of the Gospel, and so on. So that a man's religion, boiled down, is the right to believe, that is all. And if I believe something, I do not think the

Congress can take it away from me so long as I am not interfering with anyone else.

Mr. ELLENDER. It is more or less personal.

Mr. TYDINGS. And my own business is my own.

One more question: Under what authority of the Constitution can Congress pass an act telling an individual to hire someone he does not want to employ? I would be grateful if any Senator present would show me the implied or the express provision of the Constitution which authorizes us as a legislative body to pass a law which compels a man to hire in his business someone whom he does not want to employ. I am not arguing the right or wrong of the question. I am looking for the authority. I do not want to become involved in a debate concerning whether this proposed law is a good law or a bad one, whether it is just or unjust. But we have no authority, except what is expressed or implied in the Constitution, and so far in this debate I do not believe anyone has pointed out where that authority is, either implied or expressed, which gives the Federal Government the right to tell an employer whom he shall employ in his business.

Mr. ELLENDER. Of course, as I pointed out earlier in the debate, the bill would be a rape of the commerce clause of the Constitution.

Mr. TYDINGS. Where is the authority in the commerce clause?

Mr. ELLENDER. That is what the proponents are depending on.

Mr. TYDINGS. It seems to me that is a pretty weak reed. The commerce clause is a part of section 8, which along with other clauses confers certain direct authority on Congress. It says:

To regulate commerce with foreign nations, and among the several States, and with the Indian tribes.

Of course, it might be argued that there is no such thing as intrastate commerce left. I have asked many of my colleagues to point out an inanimate article produced in America, just one article, whether it be a toothpick or a hairpin, which is solely in intrastate commerce, and up to this hour no one has been able to think of an article that is exclusively in intrastate commerce. Under a recent Supreme Court decision everything is now interstate commerce.

Mr. ELLENDER. Of course, the Senator concedes that the Supreme Court has gone far afield in its interpretation of what the commerce clause means.

Mr. TYDINGS. I think the Supreme Court, in some of its recent decisions, has done more to overthrow this Government and its constitutional processes than all the Communists that have been admitted into this country in the last 30 years. They have done things because there is no court of higher appeal. They have taken advantage of their position to impose a political philosophy on the country which is in divergence with the Constitution of the United States, and in so doing have frankly admitted that they have overturned the history and the precedents of this country of 150 years' standing.

I cannot find any authority in the Constitution which gives to the Congress the right to compel me or you, Mr. President, or anyone else, to hire someone whom we do not wish to hire. Maybe there is an injustice in the way people are hired, but the point is, Where is the authority? Is this a regulation of interstate commerce? Is that what it is supposed to be?

Mr. ELLENDER. That is the basis for it, and I presume the Senator will have opportunity to ask that pertinent question of the proponents of the bill.

Mr. TYDINGS. I am not asking it of anyone in particular, including the Senator from Louisiana. I am merely trying to ascertain how I could support this measure constitutionally, and so far no one has produced any authority which would enable the Federal Government to compel me to hire a certain person to work for me if I do not want to hire him.

Mr. ELLENDER. The Senator no doubt concedes that this bill is an invasion to the 7th degree of States' rights.

Mr. TYDINGS. I think there are many injustices in the employment of people, not only among the colored people but I think among white people, people who are far removed from the purview of this bill, whose race is all right, whose color is all right, whose creed is all right, whose nationality is all right. The Senator from Louisiana knows that he and I and every other Member of this body have had come to us persons who work for the Government who tell us they are not receiving a correct marking, that their boss does not like them, that they are being discriminated against, and so forth. That is something which is heard in every activity. An employer or person in a position of responsibility may take a liking to certain individuals and may dislike others. But I do not see how we can pass a law which provides that because one likes a person or dislikes a person thus and so shall flow from that situation.

I have not yet been able to find any authority given Congress to compel me against my will, or anyone else, to hire someone I do not want to hire. If there is anything in this Republic that seems to me to be a matter of secure protection it is the right, as the Constitution provides, to be secure in my person, papers, house, and effects, and all the intimate things that are related to my business, or the right to live the religion I may embrace, even though I may not go to church. My daily life is a part of my religion, I hope, as it is of everyone else's, and I do not believe that can be taken away from me by the ipsi dixit of the Congress.

Mr. ELLENDER. I am certainly sorry that I cannot help the Senator, but I would not be able to point out any place in the Constitution wherein such power is given to Congress. On the contrary, as I have stated on many occasions, this is a further rape of the commerce clause of the Constitution. The bill in section 1—listen to this language, Senators—states as follows:

The Congress finds that the practice of denying employment opportunities to, and discriminating in employment against, properly qualified persons by reason of their race, creed, color, national origin, or ancestry, foments domestic strife and unrest,

deprives the United States of the fullest utilization of its capacities for production, endangers the national security and the general welfare, and adversely affects commerce.

If it is admitted that domestic strife and unrest affect commerce, the passage of this bill will do nothing but create and foment domestic strife and unrest the like of which we have never known in this country in peacetime.

Mr. MEAD. Mr. President, will the Senator from Louisiana yield for a brief observation without losing any of his privileges?

Mr. ELLENDER. Gladly.

Mr. MEAD. The question of discrimination in employment in religious institutions brought to mind a question which was asked earlier in the debate on the same subject, which resulted in my contacting the FEPC to ascertain if any difficulties had arisen in the past in which the FEPC had interfered in the matter of employment in purely religious institutions. I was told that such a thing had never happened.

Mr. ELLENDER. The Senator means under the existing organization.

Mr. MEAD. That is correct.

Mr. ELLENDER. If this bill were enacted conditions would be far different from those that now exist. Under the provisions of the bill the FEPC would be given unlimited powers.

Mr. MEAD. I am coming to that question.

I was also informed that the leading churchmen of the Catholic, Protestant, and Jewish religions had recommended this bill, and that the FEPC would be willing to furnish me with a list of representatives leaders of religion all over the United States in support of this measure.

As a final observation—

Mr. ELLENDER. Unfortunately, however, if the Senator will read the record of the hearings he will find that the implications of the bill were not discussed by those leaders.

Mr. MEAD. I am only saying that they have come out publicly for it, and that I am willing to place a list of their names in the Record before we conclude the debate.

As a final observation, when my distinguished colleague and his associates enable us to bring the bill before the Senate for amendment I shall be perfectly willing to join in writing into the bill the provision of the first amendment to the Constitution to which reference has been made, so that there may be no discrimination against religion.

Mr. ELLENDER. The bill would still be most repugnant to me.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. TYDINGS. I am certainly very much in favor of protecting religious institutions from having to employ persons whom they do not wish to employ; but I must ask, as a matter of simple honesty, Why should they be excepted?

Mr. ELLENDER. I yield to the Senator from New York to permit him to answer the question if he desires to do so.

Mr. MEAD. The Senator from Maryland asks why religious institutions should be exempted.

Mr. TYDINGS. I maintain that, whether there is a constitutional provision or whether there is not, no religious institution should be compelled to employ someone whom it does not wish to employ. But, under the philosophy of this bill, why should a religious institution be exempted?

Mr. MEAD. Religious leaders are not worrying about the bill. I believe that my colleague simply misinterprets the wording of the bill.

Mr. TYDINGS. That does not answer my question.

Mr. MEAD. It answers it, so far as I am concerned. If the religious leaders of the country felt as the Senator feels, they would be opposing this measure.

Mr. TYDINGS. Certainly they would.

Mr. MEAD. I believe that they are amply supported by the Constitution and by the administration which they have thus far experienced, and there is no desire on their part to offer any amendment which would give them the protection which they do not believe they need, but which the Senator is so deeply interested in giving them.

Mr. TYDINGS. They may not need it now, but over a period of time in the administration of the act they would need such protection. This is only the beginning.

Mr. President, I wish to make my position clear. I do not like force anywhere; I do not like force in any degree if it can be avoided. I like all the freedom that is possible. I would protect every religious group in this country against any kind of force being used against it which would be inimical to the carrying on of its philosophy, traditions, and teachings. However, if there is to be no discrimination because of race, because of creed, because of color, or because of foreign ancestry, why should not religious organizations be included in the scope of the bill by the authors of the bill? Why exempt them?

Mr. MEAD. In the first place, I do not believe that we are eliminating the entire body of law; nor are we wiping out the Constitution or the treaties which we have with foreign nations. We are passing a simple bill, which will be in conformity with the existing laws of the land. In those existing laws we find labor practices, judicial procedure, and protection of religion, which is in no way violently interfered with by this simple measure. If my distinguished colleague will aid me in bringing the bill before the Senate, I am sure we will be very glad to consider, and in some instances support, his amendments.

Mr. TYDINGS. Mr. President, will the Senator from Louisiana yield to me?

Mr. ELLENDER. I yield.

Mr. TYDINGS. The Senator from New York has already retreated from his express purpose in this bill. That is what the Senator is now proposing—

Mr. MEAD. Mr. President—

Mr. TYDINGS. Let me finish.

Mr. MEAD. When the Senator says that I am proposing something he is not speaking about me. This bill was not introduced by me. I am merely trying to persuade my distinguished colleague to help me bring the bill before the Senate so that we may improve it. I am willing to do that, but he is not.

Mr. TYDINGS. The bill provides, in effect, that no person shall be denied work anywhere in this country because of his race, creed, color, national origin, or ancestry. Now the Senator proposes to write an amendment to the bill. He would say, in effect, "No person shall be denied the right to work because of his race, creed, color, national origin, or ancestry, except in religious institutions."

Mr. MEAD. Mr. President, will my colleague yield to me?

Mr. ELLENDER. I yield to the Senator from New York so that he may answer the Senator from Maryland.

Mr. MEAD. I am not sponsoring any amendments. I am merely saying to my distinguished colleague that he will not allow the bill to come before the Senate.

Mr. TYDINGS. I have not prevented the bill from coming before the Senate.

Mr. MEAD. If the Senator will only allow it to come before the Senate, if there is any reason behind his amendments I shall be glad to see him given full freedom and opportunity to present them. But I cannot sympathize with his position if he intends to vote against the bill, if he intends to vote against cloture, and if at the same time he is offering amendments and doing so in my name.

Mr. TYDINGS. The Senator from Maryland has not raised a finger to stop the bill from coming to a vote, at any time since it was brought before the Senate. The Senator from Maryland voted to take up the bill.

Mr. MEAD. I believe that my distinguished colleague did not sign the cloture petition.

Mr. TYDINGS. Of course not. I do not believe in cloture.

Mr. MEAD. I believe that my distinguished colleague made quite a speech against cloture.

Mr. TYDINGS. No. I made no speech against cloture. I made a speech against the hypocrisy of this bill, during which the issue of cloture was raised by the Senator from New Mexico [Mr. CHAVEZ]; and inasmuch as he asked me a direct question I gave him a complete, frank, and unequivocal answer.

Mr. MEAD. If I correctly recall, my distinguished colleague took a decided stand against majority rule.

Mr. TYDINGS. Let us not change the subject and get off on a tangent. The Senator says that it is an outrage for any man in this country to be denied the right to work because of race, creed, color, national origin, or ancestry.

Mr. MEAD. What my colleague is saying is what he said. I never used those words. The Senator is repeating his own language, and trying to put it in my mouth.

Mr. TYDINGS. I am reading from the bill.

Mr. MEAD. The Senator is reading from a bill which is not my bill; but if he will join with me, perhaps we may be able to improve the bill when he offers his amendments. But the Senator will not vote to bring up the bill. He is against majority rule.

Mr. TYDINGS. Mr. President, it is not necessary to go back over that question. The Senator knows that I voted to take up the bill when the roll was called. I am not in favor of cloture. One

of the great offices of a Senator of the United States is to protect, at times, those who do not have force from the incursions of those who do have it. I am opposed to force in any sense of the word. I like freedom.

Mr. MEAD. But my distinguished colleague knows that without cloture we cannot bring up the bill.

Mr. TYDINGS. That is all right. I am not taking issue with the Senator on that question, except to say that I am not going to vote for cloture.

Mr. MEAD. And to that extent the Senator would prevent consideration of the bill.

Mr. TYDINGS. I am sorry. That is a fundamental belief, like my religion, or my love for my family, and I intend to adhere to it.

The point is that whoever is the author of the bill—which I believe the Senator from New York is supporting—says in effect, "You shall not be denied work anywhere in this country, on any farm, in any factory, or in any institution of any kind, because of race, color, creed, national origin, or ancestry." Now an exception is to be made—except in the case of religious institutions. I am heartily in favor of that, because that is only one of the things, among a multitude of others, which I am advocating. But I believe that that shows pretty clearly that even the proponents of the bill are willing that men be denied the right to work because of their race, creed, color, national origin, or ancestry. That philosophy says, "I am in favor of them working everywhere else, except in my own back yard. In that respect I want a special amendment to exempt me."

Mr. President, if the bill were to become law as it is written, the religious institutions of this country—and properly so—either during its consideration or afterward, would ask for an exemption from the provisions of the law.

Who would they be? With no disrespect to them, they would be the very ones who, the Senator says, have espoused the principles of this bill for all others, but not for themselves. Am I mistaken? They would be the ones who would say, "Methodists, Episcopalians, Jews, Catholics, and nonbelievers, in all other places you shall not be denied the right to work because of race, religion, creed, color, national origin, or ancestry, but in our own institutions you will be denied that right."

That is all I have to say, Mr. President.

Mr. ELLENDER. Mr. President, I do not mind yielding for questions, but hereafter I shall have to call a halt on long speeches, because they take the pep out of me. I have my line of thought, and sometimes I am very much distracted from it, and it is rather difficult for me to become warmed up again. But I shall do my best.

By the way, Mr. President, I do not mean that I am not willing to answer any questions which Senators may wish to ask me. Any Senator is at liberty to ask me any question which he may desire to ask, and I shall be glad to answer it if I am able to do so.

As I suggested a moment ago, before I was interrupted, this bill is clearly an

invasion of States' rights. As all of us know, the colored people came to America as slaves, beginning in 1619, and they have been with us ever since. We in the South have always had most of them. They have been our wards, so to speak. We have made it possible for them to attain the degree of civilization which now is theirs, for most of them came from darkest Africa. I know of no race which, in so short a time, has made so much progress as that which has been made by members of the colored race who now are living in the United States. We in the South have done all in our power and all in our means to assist the colored people. I have no doubt that if we are let alone we can better their station in life. But, Mr. President, that will not be done by force, as some persons are now attempting to do.

Let me point out that back in 1909, when I entered college, my State at that time was spending less money to educate our entire white population and colored population than it is now spending to educate the colored people alone. Do Senators desire to impede that progress? We have any number of elementary schools, high schools, and colleges for Negroes; such schools and institutions are to be found throughout my State. We have built them on a voluntary basis. The other day the distinguished junior Senator from North Carolina [Mr. HOBY] gave us a full description of what has occurred in the State of North Carolina in the past 25 years in respect to the education of Negroes.

In my State we have a number of publicly owned hospitals. In New Orleans we have the great Charity Hospital, which is known to almost everyone throughout the land, especially to the members of the medical profession. The colored people comprise about 28 percent of the total population of Louisiana; the white people comprise the other 72 percent. That is the approximate proportion. However, we find that more than 40 percent of the patients who come to our publicly owned hospitals are colored—although, as I said, the colored people comprise only 28 percent of the entire population of my State. So it is obvious that we have been taking care of them and that, if we are let alone, their progress will be continued. But I repeat that it will not be done by force.

Mr. MAYBANK. Mr. President, will my colleague from Louisiana yield to me?

Mr. ELLENDER. I yield.

Mr. MAYBANK. I wish to ask the Senator if it is not a fact that a large part of the money spent on public health in the South has been spent on the colored population?

Mr. ELLENDER. That is what I have attempted to state. I said that although in my State the Negroes comprise only 28 percent of the population, nevertheless 40 percent of the patients treated at our public hospitals are colored. That same condition prevails in many other of our State institutions which assist the uplifting of the colored people, both from a sanitary and health standpoint and from the point of helping the community as a whole.

Mr. MAYBANK. I am glad to have the Senator's statement in that respect, but

I really had in mind the treatment of malarial fever, the treatment of typhoid fever, and similar activities not only in health centers but in various other agencies throughout the South which use State money for many other purposes. I should like to have the Senator comment on that point.

Mr. ELLENDER. The point is that the number of colored people who are aided at such places constitute a much greater percentage of the total number of persons receiving such aid than the percentage which the colored people bear to the entire population of the State. In short, the situation existing in other State institutions is similar to that existing in the public hospitals to which I have referred, namely, that although only 28 percent of the people of my State are colored, yet 40 percent of the patients treated at the hospitals are colored. I have no figures in respect to the exact conditions in other institutions of the State, but I would not question for a moment that as to them the situation prevailing is approximately the same as that prevailing in the hospitals to which I have referred.

Mr. MAYBANK. I thank the Senator. What he has said is certainly the case in South Carolina.

I also wish to ask the Senator if it is not a fact that, in the Committee on Education and Labor, he was an ardent supporter of the hospital bill which was recently passed and which authorizes the construction of hospitals from one end of the United States to the other. I also ask the Senator if it is his opinion that that hospital bill will do more good for the colored people than for the white people.

Mr. ELLENDER. There is no question about that, so far as the South is concerned, because, as I have already indicated on several occasions, approximately 75 percent of all the colored people in the United States live in the South, and naturally the colored people in the South will receive a larger share of such assistance. The conclusion is fortified by the statement I have already made, that, although the Negroes in Louisiana constitute only 28 percent of the entire population, yet the Negro patients to be found in our public hospitals constitute 40 percent of the total number of patients treated at those hospitals. I should not be surprised if the same condition were found to exist in the hospitals which will be built under the provisions of the bill to which the Senator from South Carolina has just referred.

Mr. President, as I indicated awhile ago, we in the South love the colored people and we try to help them. We do not do them any injustice, although many misinformed persons have claimed we do. The average colored person who works in the South on a farm or in a factory is never heard to complain, except perhaps in a few instances when some agitators from the North try to prod him into doing this, that, or the other. But, as a whole, the colored people in the South not only are well treated but—I repeat—in the past 300 years they have made greater progress than any other race or nation of people has made in a similar period of time in the his-

tory of the world. I shall proceed to give proof of that by reading from a book entitled "Twelve Million Black Voices," written by two men named Wright and Roskam. I shall read first, beginning at page 145.

Mr. MAYBANK. Mr. President, before the Senator begins to read from that book, I should like to ask him another question.

Mr. ELLENDER. I am glad to yield for a question.

Mr. MAYBANK. The Senator spoke of the number of colored people in the South and the number who work in various places. Is it not a fact that the vast majority of the colored people in this generation own their own farms and their own little homes?

Mr. ELLENDER. Mr. President, I did not intend to discuss that matter at this point in my speech. I expect to do so next week, when I shall continue my speech. [Laughter.]

Mr. MAYBANK. I thank the Senator. I assure him that I will be here next week when he discusses that matter.

Mr. ELLENDER. I have all the data and the details to show the progress which has been made in the South for the colored people.

I am satisfied that the amount of money which was spent in Louisiana for Negro and white education in 1909 was about what we now spend each year for the colored people alone. I am sure that the figures which I shall present to the Senate, if given an opportunity to do so—I think the Senate should hear them—will prove that the authors of the book from which I intend to read, told the truth. This book, which is entitled "Twelve Million Black Voices," indicates that the colored people themselves admit the fact of the progress which has been made by them during the past 300 years. I believe that the same admission as to the progress which has been made by the colored people of this Nation during the past 300 years has been made on many other occasions. In speaking for myself and for many others, including the colored people themselves who reside in the South, I repeat that nothing should be done by the strong arm of this Government which would in any wise impede such progress.

Mr. President, I read from page 145 of the book to which I have referred:

Standing now at the apex of the twentieth century, we look back over the road we have traveled and compare it with the road over which the white folk have traveled, and we see that 300 years in the history of our lives are equivalent to 2,000 years in the history of the lives of whites.

Mr. President, I pause to ask, What progress would the blacks have made had it not been under the guidance of the white people?

I continue reading:

The many historical phases which whites have traversed voluntarily and gradually during the course of western civilization we black folk have traversed through swift compulsion. During the 300 years we have been in the New World we have experienced all the various types of family life, all the many adjustments to rural and urban life, and today, weary but still eager, we stand ready to accept more change.

Imagine European history from the days of Christ to the present telescoped into 300

years, and you can comprehend the drama which our consciousness has experienced. Brutal, bloody, crowded with suffering and abrupt transitions, the lives of us black folk represent the most magical and meaningful picture of human experience in the western world. Hurling from our native African homes into the very center of the most complex and highly industrialized civilization the world has ever known, we stand today with a consciousness and memory such as few people possess.

We black folk, our history and our present being, are a mirror of all the manifold experiences of America. What we want, what we represent, what we endure, is what America is. If we black folk perish, America will perish. If America has forgotten her past, then let her look into the mirror of our consciousness, and she will see the living past living in the present, for our memories go back, through our black folk of today, through the recollections of our black parents, and through the tales of slavery told by our black grandparents, to the time when none of us, black or white, lived in this fertile land.

The differences between black folk and white folk are not blood or color, and the ties that bind us are deeper than those that separate us. The common road of hope which we all have traveled has brought us into a stronger kinship than any words, laws, or legal claims.

Look at us and know us and you will know yourselves, for we are you, looking back at you from the dark mirror of our lives.

What do we black folk want?

We want what others have, the right to share in the upward march of American life, the only life we remember or have ever known.

The lords of the land say: "We will not grant this."

We answer: "We ask you to grant us nothing. We are winning our heritage, though our toll in suffering is great."

The bosses of the buildings say: "Your problem is beyond solution."

We answer: "Our problem is being solved. We are crossing the line you dared us to cross, though we pay in the coin of death."

The seasons of the plantation no longer dictate the lives of many of us; hundreds of thousands of us are moving into the sphere of conscious history.

We are with the new tide. We stand at the crossroads. We watch each new procession. The hot wires carry urgent appeals. Print compels us. Voices are speaking. Men are moving. And we shall be with them.

Of course, what I have read is boastful language. But the fact remains that in our progress we in America have brought along with us the colored people. Many of them came here as savages a little more than 300 years ago. Many of them had to be chained, but today many of them are great doctors. There are many good lawyers among them, and many scientists. We in the South want to encourage them, we want them to go forward, and we will not raise any question if we are permitted to progress along the line which we have followed during the past few decades.

Mr. President, the next matter I should like to deal with specifically I have discussed generally up to this point, namely, the distribution of the Negro population of the United States since 1790. I shall not take the time of the Senate to read all the figures, but I ask Senators to look at them. They are now printed in the Record of January 15, 1938, volume 83, part 1, beginning at page 587. The tables there printed give by number and percentage the distribution of the colored

population from 1790 until 1930, and I have before me figures I obtained from the Census Bureau for 1940, and to which I shall refer specifically because those figures are up to date.

I ask unanimous consent that there be inserted in the RECORD following my remarks the tables beginning at page 587 and ending at the top of page 590 of the RECORD to which I have just referred.

The PRESIDING OFFICER (Mr. BANKHEAD in the chair). Is there objection? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. ELLENDER. Mr. President, without going into details to show the percentage of the colored people, who have been our wards since our Constitution was adopted, and since we became a Republic, I shall give the figures for the period since 1850. It will be noted that the percentage from 1850 to 1930 has decreased somewhat in the South, showing a migration of the colored people from the South to the North.

In 1850 in the 13 Southern States there were 87 percent of the entire colored population, and in the remaining States, principally in the North, there were only 13 percent. In 1860 the percentage in the South was 88, and in the North 12. In 1870 the percentage in the South was 85, and in the North 15. In 1880 in the South it was 86, and in the North 14. In 1890 in the South it was 86 and in the North it was 14. In 1900 in the South it was 85 and in the North 15. In 1910 in the South it was 85 and in the North 15. In 1920 in the South it was 81 and in the North 19. In 1930 in the South it was 74 and in the North 26.

According to the most recent census, the total colored population of the country is 12,865,509, and of that number 9,261,783 are in the 13 Southern States, and 3,403,726 are scattered among the other States of the Union.

As this table indicates, the percentage of colored people in some of the States is little or nothing. Let us take Maine, the State of the senior Senator from Maine (Mr. WHITE), the minority leader. Of a total population of 844,543 in 1940, there were only 1,304 colored people, or two-tenths of 1 percent. I suggest, what interest have the people of Maine in a measure of this kind?

In the State of New Hampshire the colored people form one-tenth of 1 percent of the population; in the State of Vermont, one-tenth of 1 percent; in Massachusetts 1.3 percent; in Rhode Island, 1.5 percent. And so on down the line.

I ask permission at this point to insert in the RECORD the entire table which shows the number of colored people in all the States of the Union, both in number and percentage.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Negro population by States

State	White	Negro	Percent Negro
Maine	844,543	1,304	0.2
New Hampshire	490,989	414	.1
Vermont	338,806	384	.1
Massachusetts	4,257,596	55,391	1.3
Rhode Island	701,805	11,024	1.5

Negro population by States—Continued

State	White	Negro	Percent Negro
Connecticut	1,675,407	32,992	1.9
New York	12,879,546	571,221	4.2
New Jersey	3,631,087	226,973	5.5
Pennsylvania	6,426,689	476,172	4.7
Ohio	6,566,531	339,461	4.9
Indiana	3,305,323	121,616	3.6
Illinois	7,504,202	387,446	4.9
Michigan	5,039,643	208,345	4.0
Wisconsin	3,112,752	12,158	.4
Minnesota	2,768,582	9,928	.4
Iowa	2,520,691	16,694	.7
Missouri	3,639,187	244,386	6.5
North Dakota	631,464	201	-----
South Dakota	619,075	474	.1
Nebraska	1,297,624	14,171	1.1
Kansas	1,734,496	65,138	3.6
Delaware	230,528	35,876	13.5
Maryland	1,510,481	301,931	16.6
District of Columbia	474,326	187,266	28.2
Virginia	2,015,583	661,449	24.7
West Virginia	1,784,102	117,754	6.2
North Carolina	2,567,635	981,298	27.5
South Carolina	1,084,308	814,164	42.9
Georgia	2,038,278	1,084,927	34.7
Florida	1,381,986	514,198	27.1
Kentucky	2,631,425	214,631	7.5
Tennessee	2,406,906	508,736	17.4
Alabama	1,849,097	983,290	34.7
Mississippi	1,106,327	1,074,572	49.2
Arkansas	1,466,084	482,578	24.8
Louisiana	1,511,739	849,303	35.9
Oklahoma	2,104,228	168,849	7.2
Texas	5,487,545	924,388	14.4
Montana	540,468	1,120	.2
Idaho	519,292	595	.1
Wyoming	246,597	956	.4
Colorado	1,106,502	12,176	1.1
New Mexico	492,312	4,672	.9
Arizona	426,792	14,993	3.0
Utah	542,920	1,235	.2
Nevada	104,030	664	.6
Washington	1,698,147	7,424	.4
Oregon	1,075,731	2,565	.2
California	6,596,763	124,308	1.8

Source: Sixteenth Census of the United States, 1940, Population, vol. II, Characteristics of the Population, Part I, U. S. Summary Report by States. U. S. Government Printing Office, Washington, D. C., 1943.

W. H. GILBERT,
General Research Section.

Population:

13 Southern States:

Whites ----- 27,651,141
Blacks ----- 9,261,783
Percent Negroes, 33.

Other States:

Whites ----- 90,537,747
Blacks ----- 3,603,726
Percent Negroes, 4.

Mr. ELLENDER. It will be seen that the South has three-fourths of the colored population of the country, and, as I pointed out awhile ago, of all the cases which came under the FEPC in the last 10 months of the last fiscal year only 10 percent originated in the South, where 75 percent of the colored people live. So, for Senators to attempt to impose such a bill as this on us does not seem right.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. McCLELLAN. In view of the statistics the Senator has just given, I call attention to the fact that of the complaints the present Fair Employment Practice Commission has considered, about 80 percent have had to do with the colored race.

Mr. ELLENDER. Seventy-eight percent.

Mr. McCLELLAN. What percentage of those came from the Southern States, where the great majority of the colored people live?

Mr. ELLENDER. For the first 2 years it was only 25 percent, but for the last 10 months of the last fiscal year, of all such cases, only 10 percent came from the South.

Mr. McCLELLAN. Has the Senator any doubt that the present committee has certainly given appropriate attention to the South in the discharge of its duties?

Mr. ELLENDER. I have no doubt about that. There is ample evidence to show it.

Mr. McCLELLAN. Do not the very statistics the Senator has related definitely substantiate the contention we have made continually that the real problem between the white and Negro races, if there is any, is not in the South?

Mr. ELLENDER. There is no question about it at all.

Mr. McCLELLAN. And do they not definitely establish the fact that the real problem, if there is a real problem, is where the white people are undertaking to let down the barriers on social equality?

Mr. ELLENDER. There is no question about that. That is why I have argued here time and again that it is best to let such problems as this be handled by the States themselves. It is best for the South itself to handle the problem for the good of the colored people themselves.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. McCLELLAN. Does not the Senator believe that the statistics he has given should establish conclusively to the mind of any fair person that the South is better able to handle the problem than is any other section of the country? We have demonstrated that to be true. When we are left alone we do handle the problem and have less trouble than if we are interfered with. But the minute anyone undertakes to break down the barriers, the minute anyone undertakes to prevent segregation, and to bring about conditions which are conducive to the amalgamation of the races, just that minute trouble occurs.

Mr. ELLENDER. There is no question about that, and I propose to demonstrate the truth of the Senator's statement. That is my next point. The Senator has anticipated my statement. I propose to present a comparison of crimes committed in the South, where 75 percent of the Negro population reside, with crimes committed in the North, where but 25 percent of the Negro population live. The figures are astounding. They go to show, as I have stated, that in the South we have been able to handle the problem because we know the colored people, having lived with them for 300 years. If it were not for agitators from the North, white and black, coming down there and acting in the capacity of a disturbing element I am confident conditions would be even better, and it is my hope that they will continue to improve.

Mr. McCLELLAN. Mr. President, will the Senator yield to me at this point in his remarks to read a letter which I think is apropos of the very point now under discussion?

Mr. ELLENDER. I yield for that purpose.

Mr. McCLELLAN. I should like to read a letter, which is not from a citizen of my State, but from a citizen of Ohio, addressed to me under date of Sunday,

January 27, 1946. I wish Senators would pay attention to this letter:

DEAR SIR: I wish to congratulate you on the way you handled the debate on the radio Saturday evening. I am a housewife of Columbus, Ohio, with a 6-year-old daughter and a very nice, hard-working husband. According to his business life, our home life, and our religious standards, we are what is considered the American family. We are very grateful for an American to be in Congress who is trying to protect our class of life.

During the war I worked in a war plant to help our country as well as ourselves. At this plant it was very discouraging the way the colored people were catered to. This certain war plant has hurt Columbus greatly where the colored race is concerned. They are rude in the downtown sections because of the rights they were given at this place of employment.

Several times I have been very embarrassed in public. For that very reason I will say I have never sat beside one in a streetcar or in a theater. Many times in one of our nicest restaurants and while at work I have had to leave my meal uneaten because a colored person had nerve enough to come in and sit down beside me.

I have also taught my child this, and now it is a very important factor in my life. My daughter starts to school tomorrow. Although there are no colored people living within five or six squares of our home, there are a few in our schools. In fact, I think I can be safe in saying the only schools in Columbus where there are no colored are the private schools.

My husband, as well as many of our friends, agree with our committee and are hoping you will be able to defeat this bill, as we have been waiting for the day when we can go out to dinner or to the theater without having to move a couple of times to be able to sit by white people.

Hoping you all the success in the world.

The lady signs the letter. I shall not place her name in the RECORD because I do not have her permission to do so.

Mr. President, I merely point out, along the line of what the Senator has been saying, that there is more trouble and more friction and more strife caused by the attempt to break down the social barriers than by any other one thing, and the more of it we have, the more prominent the race issue will become.

Mr. ELLENDER. Mr. President, I know the Senator speaks the truth in making that statement. As I indicated a moment ago, I shall proceed to show the number of crimes committed, and make comparisons. I have selected in most instances, particularly with respect to our large cities, seven of the most heinous crimes known to criminology, and I have had the Library of Congress make a comparison of such crimes as between the colored and the white. I have had a comparison made of the crimes committed in the city of New Orleans, which in 1930 had about the same population as the city of Washington. I wish more Senators were present to listen to the figures. I propose to place in the RECORD not only the figures as to these heinous crimes, but of others, and show the number of individuals incarcerated in the jails of the country, and to make comparison as between the colored people and the white people, between those living in the North and those living in the South.

Mr. TAYLOR. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Louisiana yield to the Senator from Idaho?

Mr. ELLENDER. I yield for a question.

Mr. TAYLOR. I thank the Senator from Louisiana. I really did not want to ask a question, but to make a comment on the letter read by the Senator from Arkansas.

I am sorry for the poor lady who wrote the letter. It is too bad that there is not a Hitler around with a going concern somewhere, where she could go and live, and where racial prejudices and superior peoples could have their way and relegate the less fortunate to an inferior position.

I have no doubt that the figures which the Senator from Louisiana will present will show that there are more Negroes incarcerated for crimes of various kinds than there are white people. I may say further that if he will look at the figures he will probably find that many more underprivileged whites are convicted of crime than are white people who have greater advantages.

Mr. ELLENDER. If the Senator will be patient, I have the figures and will present them to make comparison, and if the Senator remains in the Chamber, he will hear them. I shall not cover simply one segment. I shall cover them all, whites and blacks.

Mr. TAYLOR. I have been pretty faithful in my attendance trying to find out what the thing was all about.

Mr. MCCLELLAN. Mr. President, will the Senator yield to me to make an observation?

Mr. ELLENDER. Yes.

Mr. MCCLELLAN. I do not think the good lady who wrote the letter needs any particular defense from me. The reading of her letter has provoked from a United States Senator the remark we have just heard, that he wished she had a Hitler or somebody else to give her what she wants. Let me say to my friend the Senator from Idaho that if he pursues the present trend and the purpose to pass such legislation as this, a Hitler will rise in America, not only for the benefit of this lady but for the benefit of the Senator from Idaho and his own loved ones. This bill is right in the direction of Hitlerism. Movements such as this can be continued until the liberty of the American people is destroyed. The pitiful thing about it is that the Senator thinks he is trying to remedy something that is bad. He does not know what this vicious, damnable legislation would do to this country.

Mr. ELLENDER. Mr. President, before I was interrupted I was giving the figures of the latest census taken, indicating the small percentage of colored people in some States, some of whose representatives in Congress are most vociferous for the passage of the bill. I cannot help repeating what I stated earlier, that there seems to be a movement in all the States of the North, in particular, to try to impose such legislation as this on the people of the South. As I shall demonstrate by figures, I am sure that the South can cope with the problems of the Negro better than can the North.

The figures which I am about to present are for the country as a whole. The statistics are divided into several categories, covering those incarcerated in

county and municipal jails; those in State and Federal prisons, and so forth. After giving the figures for the various categories, it is my purpose then to compare figures from some of the leading cities of our country from the standpoint of the number of crimes committed.

I have before me figures for the city of Washington. In this great city, although the colored population is approximately 28 percent, for every white person who has committed 1 of the 7 heinous crimes, to which I shall refer in a moment, in some years as many as 7 colored persons committed the crime. In other words, in a given year 28 percent of the population, which is colored, committed seven times as many of the crimes which I shall mention as did members of the white population.

I wish to cite some figures for the first 6 months of 1933. These figures were prepared by the Library of Congress. The information is taken from the Census. What do the figures show? They show that during the first 6 months of 1933 the number of Negro prisoners in municipal and county jails in 13 Southern States was 25,496. The total colored population was 8,805,635.

In the remaining 35 States of the Union, including the District of Columbia, the number of colored prisoners in county and municipal jails was 29,542, and the total colored population was only 3,085,508. The rate in the South was 290 for every 100,000 population. In the North the rate per hundred thousand was 957. Imagine that. Let me put it this way, for emphasis: In the South, with a colored population of 8,805,635, there were 25,496 colored persons in county and municipal jails, while in the North, with a colored population of only 3,085,508, there were 29,542 colored persons incarcerated in county and municipal jails.

Let us see what the comparison is among the white population. The Senator from Idaho [Mr. TAYLOR] made the suggestion that we should consider the poor white folk, too. In the 13 Southern States the population was 24,146,167, and the number of prisoners 35,273. In the remaining States of the Union, including the District of Columbia, the number of prisoners was 140,602, out of a population of 84,718,040. The rate in the South, so far as the white people were concerned, was 146 per hundred thousand. In the North the rate was 166. There was a slight difference in that respect. The colored people in the North constitute approximately 25 percent of the entire colored population of the country. Yet it will be seen that more of them were incarcerated in county and municipal jails in the North than in the South.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. JOHNSTON of South Carolina. I have heard a great deal of talk to the effect that the colored man was more underprivileged in the South than in the North.

Mr. ELLENDER. These figures do not prove it.

Mr. JOHNSTON of South Carolina. According to these figures that is not true, is it?

Mr. ELLENDER. Of course not. The trouble is that in the North, by law, certain privileges have been granted the colored race, which it is hoped they will not exercise. Many of the Northern States have given to the colored people the right to enter cafes and hotels, and the right to swim in the same swimming pools with whites; but when the poor devils try to exercise those rights they are prevented from doing so. As a result, there are many race riots. The Negroes usually become the victims. That is why there is a great deal more crime among the colored race in the North than in the South. In the South we do not give the colored people any rights which we do not wish them to exercise. We do not coddle them. We do not say to them, "We are going to pass a law giving you the right to do this, that, or the other thing," unless we mean that they shall exercise such rights. In the North, as I shall show—in Pennsylvania, New York, Maine, Kansas, and many other States—many rights are granted to the colored people simply to obtain their political support, but in the hope that they will not exercise the legal rights accorded to them.

Mr. JOHNSTON of South Carolina. In the South the colored people have a great occasion, known as the hot supper, usually on Saturday nights. When a white boy drops around he usually gets into trouble, does he not?

Mr. ELLENDER. That is correct. As a result of long experience—and I believe we have succeeded pretty well—we have tried to make the colored man know where his place is.

Mr. JOHNSTON of South Carolina. Also the white man.

Mr. ELLENDER. Yes. We do not attempt to hurt the colored man, but we simply make him realize that the white race is superior to the colored race in every respect.

Mr. President, I shall continue to read from this table. I ask unanimous consent that the entire table be printed in the RECORD at the conclusion of my remarks.

The PRESIDENT pro tempore. Without objection, the table may be printed in the RECORD as requested. (See exhibit 2.)

Mr. ELLENDER. We come now to the figures for 1934, showing the number of prisoners, both colored and white, placed in State and Federal prisons and reformatories. In 10 of the 13 Southern States—there were 3 States for which the facts were not available—the number of prisoners incarcerated in State and Federal prisons and reformatories was 6,616, out of a colored population of 5,779,958, or 114 per 100,000.

Let us see what the figures show for the 35 remaining States of the Union, where the colored population was only 3,085,508. The number of prisoners was 8,237, or 267 per 100,000. In other words, in the South, where three-fourths of the total colored population of the country lives, there were in jail 114 per 100,000, as compared with 267 per 100,000 colored people in the North. What do those figures show? The very thing which the distinguished Senator from South Carolina has just suggested—that in the

South we understand the colored people; we treat them right and they are not prone to get into so much mischief as those in the North. They have been living with us for a long time. I am certain that we treat them better than they are treated in the North.

For contrast, in order to further comply with the suggestion of my good friend from Idaho [Mr. TAYLOR], in the 10 Southern States, where the white population was 19,611,262, there were 9,319 prisoners, or 47 per 100,000. In the 35 remaining States there were 35,772 out of a population of 84,718,000, or 42 per 100,000. That was in the year 1934.

In the year 1935 the 10 Southern States had approximately the same populations which I have stated for the year 1934. In the Southern States the rate for Negroes in Federal and State prisons and reformatories was 132 per 100,000. In the Northern States the rate was 283 per 100,000. In other words, although the North has but one-fourth of the Negroes of the country, in contrast to the South, where three-quarters of the Negroes of the country are found, in the year 1934 there were 8,735 colored people in Federal and State jails and reformatories in the North, as compared to the 7,627 colored people in the South.

When we consider the number of white persons incarcerated we find that the situation which I pointed out for the year 1933 is approximately the same as that for the year 1935. In the 10 Southern States the number of white persons incarcerated was 9,980, out of a population of 10,611,000, or 51 white persons per 100,000. In the 35 remaining States and the District of Columbia there were 38,606 white people in jail, or 46 per 100,000.

Mr. President, I propose to show the corresponding figures for a number of years, to demonstrate that approximately the same proportion exists right along. As I have stated, I shall give the figures for the large cities. The figures for the large cities are much more astounding than the figures I have cited.

I proceed now with the figures for the year 1936—

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. JOHNSTON of South Carolina. Does the Senator have any figures to show whether the crimes committed in the South involved both white and black people or primarily colored people only, or does the Senator have any other figures along that line? I have in mind figures to show whether the crimes committed involved two or more colored persons or involved, in each case, a colored person and a white person.

Mr. ELLENDER. No; I have not.

Mr. JOHNSTON of South Carolina. If the Senator obtained that information I think he would find that, generally speaking, in the South the colored man who is in prison is not there because he has committed some crime against a white man. It will be found that in the South in about 8 or 9 cases out of 10 the crimes committed by colored people were committed against other persons of their own race. If the figures are produced, it will be found that most of the graver crimes committed by Negroes involve only members of the colored race.

Mr. ELLENDER. I would not doubt that, because I believe that, inasmuch as the colored people of the South do not seek to mingle with the white people, most of their difficulties occur among themselves. Of course, at times they attempt to encroach on the white people, and, of course, the white people are resentful of that. But I agree with what the Senator has said; in other words, I am sure that if it were possible to analyze the figures in that way, it would be found that in the South the various crimes or difficulties with which colored people are involved occur primarily among only the colored people, rather than among both colored people and white people.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. OVERTON. I think the junior Senator from Louisiana is making a very valuable contribution, Mr. President.

Mr. ELLENDER. I thank the Senator.

Mr. OVERTON. The Senator's contribution is especially valuable insofar as it is in support of the thought entertained by so many persons who have given study to this problem, namely, that the Negro of the South is more law-abiding than the Negro who resides above Mason and Dixon's line. I think the reason is perfectly obvious; but under the limitations imposed on debate I cannot at this time point it out. Probably the junior Senator from Louisiana has his own views on that subject. But there is no question that the Negro of the South is much more law-abiding than the Negro of the North. I ask my colleague if he, too, takes that view.

Mr. ELLENDER. Mr. President, there is absolutely no question about it. The fact that so many more colored people are arrested in the North than in the South answers that point.

Mr. OVERTON. But why is that true?

Mr. ELLENDER. I indicated a moment ago that my own opinion is that the Negroes of the North feel a little freer than the Negroes of the South do because of the passage in the North of laws giving them certain rights, and when they go to exercise those rights they get into trouble. That is one of the reasons why I believe so many more Negroes in the North get into trouble. Of course, I am satisfied that the white people of the North are just as resentful as the white people of the South when the colored people try to rub elbows with them and try to place themselves on the same social footing, on a basis of social equality. Anyone should resent that.

I revert now to the figures I was discussing. For the year 1936, in the 10 Southern States, 6,886 colored people out of a total Negro population of 5,779,958 were confined in State and Federal prisons and reformatories—or at a rate of 12 per 10,000, for the Southern States. For the remainder of the country—in other words, the 35 other States and the District of Columbia—where the colored population was only 3,085,508, 8,592 colored persons were involved in crimes, or at a rate of 28 for every 10,000. Think of that, Mr. President. We in the South, with three-quarters of all the colored people in the United States, whereas the North has only one-fourth of

them, got along much better with the Negroes, as is shown by the fact that in the North there were almost 2,000 more Negroes in State and Federal prisons and reformatories than there were in the South.

Now let us consider the white people. In 1936, in the 10 Southern States, with a white population of 19,000,000-plus, there were 9,339 white people in State and Federal prisons and reformatories, or at a rate of 4.8 per 10,000. In the 35 remaining States and the District of Columbia the total number of white persons in jail was 35,369, out of a total white population of 84,000,000-plus, or 4.2 per 10,000. That is the situation. The figures show how similar the situation among white people in the North is to that among white people in the South, in terms of the number of white persons incarcerated in Federal and State prisons and reformatories. As I have said, in the 10 Southern States the rate for white people was 4.8 per 10,000, and in the North it was 4.2 per 10,000. Those figures are almost identical.

But when it comes to the colored people in the North and the colored people in the South, there is a great difference. In the South, the number of colored people confined in Federal and State prisons and reformatories is 12 per 10,000, and in the North it is 28 per 10,000.

Mr. President, I do not like to read figures, but I think it is important to do so in this case, for I know of no other way to make an impression or to try to make an impression on the Senators who are now in the Chamber! How many are here now? I see only 7 or 8. Many more should be here to listen to some of this information and to learn what we are heading for if we permit legislation of this kind to become law.

I do not wish to be misunderstood; but I say this bill is an effort to do nationally what some of the Northern States have done locally in order to appeal to certain small, miserable groups of politicians who make every effort to get this, that and the other concession in order to appease the handful of colored voters in their midst. If they only knew the damage which would be done to the future of our country, they might take a dif-

ferent view of the situation. But they do not consider that phase of the matter. Their views are entirely selfish.

I do not like to talk too much about my colleagues, but I just cannot help believing that a great deal of what is being done is purely for political reasons and nothing else. If they will study these figures, and study the history of other nations in regard to mongrelization, I think they will change their views in respect to this bill.

Mr. TAYLOR. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. TAYLOR. I stated the other day, though possibly the Senator from Louisiana was not then present in the Chamber, that in Idaho we may have as many as 500 Negroes. Considering the Negro population as a whole, that is a very small number. So anything which I may say in connection with the pending bill will certainly not be prompted by any desire to obtain Negro votes.

Mr. OVERTON. Mr. President, will the Senator from Louisiana yield in order that I may propound a question to the Senator from Idaho?

Mr. ELLENDER. Mr. President, I am sorry, but my attention was temporarily diverted. Will the Senator from Idaho repeat his statement?

Mr. TAYLOR. I said that in Idaho we have only approximately 500 Negroes, and that anything I may say relative to the pending bill should not be considered as catering to the votes of such a small bloc or group.

Mr. ELLENDER. No; but the Senator is doing what I have accused other Senators of doing indirectly. There seems to be some kind of—I will not say conspiracy, but an understanding among some Senators from the Northern States—

Mr. TAYLOR. No; there is no understanding between me and any other Senator with regard to what I am supposed to do or will do in respect to the FEPC bill.

Mr. OVERTON. Mr. President, will the Senator from Louisiana now yield to me in order that I may ask a question of the Senator from Idaho?

Mr. ELLENDER. I yield.

Mr. OVERTON. The Senator from Idaho said that there are approximately 500 Negroes in his State.

Mr. TAYLOR. Yes.

Mr. OVERTON. How many people in Idaho are members of the CIO?

Mr. TAYLOR. I doubt if any are members. Most of our colored people—

Mr. OVERTON. I am not talking about the colored people alone; I am talking about both the whites and the blacks.

Mr. TAYLOR. Is the Senator asking how many of them belong to the CIO?

Mr. OVERTON. Yes.

Mr. TAYLOR. I do not know the answer to the Senator's question. In the northern part of the State some of the mine and timber workers are members of the CIO, but I believe that so far as Idaho is concerned, the A. F. of L. has a greater membership than does the CIO.

Mr. OVERTON. The CIO organization is in favor of the pending bill, is it not?

Mr. TAYLOR. Yes.

Mr. OVERTON. And the A. F. of L. organization is also in favor of the pending bill, is it not?

Mr. TAYLOR. I do not know.

Mr. OVERTON. A statement to that effect has been made on the floor of the Senate. How many A. F. of L. members are there in Idaho?

Mr. TAYLOR. I do not know how many A. F. of L. members there are in Idaho. I do not pay attention to the membership of groups. I do not care how many members they may have. Frankly, I do not know the answer to the Senator's question.

Mr. OVERTON. What is the population of Idaho?

Mr. TAYLOR. The population of Idaho is less than 500,000.

Mr. OVERTON. Am I making an overstatement when I say that, considering the organized labor vote combined, it represents at least two-thirds of the population of Idaho?

Mr. TAYLOR. No; I should say it represents probably not more than one-tenth of the population of Idaho.

Mr. OVERTON. I thank the Senator.

EXHIBIT 1

PROPORTION IN TOTAL POPULATION

Percent Negro in total population at each census, by divisions and States, 1790-1930

Division and State	1930	1920	1910	1900	1890	1880	1870	1860	1850	1840	1830	1820	1810	1800	1790
United States.....	9.7	9.9	10.7	11.6	11.9	13.1	12.7	14.1	15.7	16.8	18.1	18.4	19.0	18.9	19.3
Geographic divisions:															
New England.....	1.2	1.1	1.0	1.1	.9	1.0	.9	.8	.8	1.0	1.1	1.3	1.4	1.5	1.7
Middle Atlantic.....	4.0	2.7	2.2	2.1	1.8	1.8	1.7	1.8	2.1	2.6	2.9	3.3	4.1	4.6	5.3
East North Central.....	3.7	2.4	1.6	1.6	1.5	1.6	1.4	.9	1.0	1.0	1.1	1.0	1.3	1.2	
West North Central.....	2.5	2.2	2.1	2.3	2.5	3.3	3.7	5.6	10.3	14.1	18.3	15.9	17.4		
South Atlantic.....	28.0	30.9	33.7	35.7	36.8	38.7	37.9	38.4	39.8	40.7	41.9	41.6	40.4	37.6	36.4
East South Central.....	26.9	28.4	31.5	33.7	33.0	34.5	33.2	34.7	33.4	32.2	27.6	24.2	20.5	17.5	14.9
West South Central.....	18.7	20.1	22.6	25.9	29.1	32.6	36.4	36.9	39.2	47.6	53.2	48.4	54.4		
Mountain.....	.8	.9	.8	.9	1.1	.8	.5	.1	.1						
Pacific.....	1.1	.9	.7	.6	.7	.6	.7	1.0	1.1						
New England:															
Maine.....	.1	.2	.2	.2	.2	.2	.3	.2	.2	.3	.3	.3	.4	.5	.6
New Hampshire.....	.2	.1	.1	.2	.2	.2	.2	.2	.2	.2	.2	.3	.5	.5	.6
Vermont.....	.2	.2	.5	.2	.3	.3	.3	.2	.2	.3	.3	.4	.3	.4	.3
Massachusetts.....	1.2	1.2	1.1	1.1	1.0	1.0	1.0	.8	.9	1.2	1.2	1.3	1.4	1.5	1.4
Rhode Island.....	1.4	1.7	1.8	2.1	2.1	2.3	2.3	2.3	2.5	3.0	3.7	4.3	4.8	5.3	6.3
Connecticut.....	1.8	1.5	1.4	1.7	1.6	1.9	1.8	1.9	2.1	2.6	2.7	2.9	2.6	2.5	2.3
Middle Atlantic:															
New York.....	3.3	1.9	1.5	1.4	1.2	1.3	1.2	1.3	1.6	2.1	2.3	2.9	4.2	5.3	7.6
New Jersey.....	5.2	3.7	3.5	3.7	3.3	3.4	3.4	3.8	4.9	5.8	6.4	7.2	7.6	8.0	7.7
Pennsylvania.....	4.5	3.3	2.5	2.5	2.0	2.0	1.9	2.0	2.3	2.8	2.8	2.9	2.9	2.7	2.4

Percent Negro in total population at each census, by divisions and States, 1790-1930—Continued

Division and State	1930	1920	1910	1900	1890	1880	1870	1860	1850	1840	1830	1820	1810	1800	1790
East North Central:															
Ohio	4.7	3.2	2.3	2.3	2.4	2.5	2.4	1.6	1.3	1.1	1.0	.8	.8	.7	
Indiana	3.5	2.8	2.2	2.3	2.1	2.0	1.5	.9	1.1	1.0	1.1	1.0	2.6	5.3	
Illinois	4.3	2.8	1.9	1.8	1.5	1.5	1.1	.5	.6	.8	1.5	2.5	6.4		
Michigan	3.5	1.6	.6	.7	.7	.9	1.0	.9	.7	.8	.9	2.0	3.0		
Wisconsin	.4	.2	.1	.1	.1	.2	.2	.2	.2	.6					
West North Central:															
Minnesota	.4	.4	.3	.3	.3	.2	.2	.2	.6						
Iowa	.7	.8	.7	.6	.6	.6	.5	.2	.2	.4					
Missouri	6.2	5.2	4.8	5.2	5.6	6.7	6.9	10.0	13.2	15.6	18.3	15.9	17.4		
North Dakota	.1	.1	.1	.1	.2	1.3	1.7								
South Dakota	.1	.1	.1	.1	.2										
Nebraska	1.0	1.0	.6	.6	.5	.5	.6	.3							
Kansas	3.5	3.3	3.2	3.5	3.5	4.3	4.7	.6							
South Atlantic:															
Delaware	13.7	13.6	15.4	16.6	16.8	18.0	18.2	19.3	22.3	25.0	24.9	24.0	23.8	22.4	21.6
Maryland	16.9	16.9	17.9	19.8	20.7	22.5	22.5	24.9	28.3	32.3	34.9	36.1	38.2	36.7	34.7
District of Columbia	27.1	25.1	28.5	31.1	32.8	33.6	33.0	19.1	26.6	29.9	30.8	31.6	33.1	28.6	
Virginia	26.8	29.9	32.6	35.6	38.4	41.8	41.9	34.4	37.1	40.2	42.7	43.4	43.3	41.6	40.9
West Virginia	6.6	5.9	5.3	4.5	4.3	4.2	4.1								
North Carolina	29.0	29.8	31.6	33.0	34.7	38.0	36.6	36.4	36.4	35.6	35.9	34.4	32.2	29.4	26.8
South Carolina	45.6	51.4	55.2	58.4	59.8	60.7	58.9	58.6	58.9	56.4	55.6	52.8	48.4	43.2	43.7
Georgia	36.8	41.7	45.1	46.7	46.7	47.0	46.0	44.1	42.4	41.0	42.6	44.4	42.4	37.1	35.9
Florida	29.4	34.0	41.0	43.7	42.5	47.0	48.8	44.6	46.0	48.7	47.1				
East South Central:															
Kentucky	8.6	9.8	11.4	13.3	14.4	16.5	16.8	20.4	22.5	24.3	24.7	22.9	20.2	18.6	17.0
Tennessee	18.3	19.3	21.7	23.8	24.4	26.1	25.6	25.5	24.5	22.7	21.4	19.6	17.5	13.2	10.6
Alabama	25.7	38.4	42.5	45.2	44.8	47.5	47.7	45.4	44.7	43.3	38.5	33.2			
Mississippi	50.2	52.2	56.2	58.5	57.6	57.5	53.7	55.3	51.2	52.3	48.4	44.1	42.9	41.5	
West South Central:															
Arkansas	25.8	27.0	28.1	28.0	27.4	26.3	25.2	25.6	22.7	20.9	15.5	11.7			
Louisiana	36.9	38.9	43.1	47.1	50.0	51.5	50.1	49.5	50.7	55.0	58.5	51.8	55.2		
Oklahoma	7.2	7.4	8.3	7.0	8.4										
Texas	14.7	15.9	17.7	20.4	21.8	24.7	31.0	30.3	27.5						
Mountain:															
Montana	.2	.3	.5	.6	1.0	.9	.9								
Idaho	.2	.2	.2	.2	.2	.2	.4								
Wyoming	.6	.7	1.5	1.0	1.5	1.4	2.0								
Colorado	1.1	1.2	1.4	1.6	1.5	1.3	1.1	.1							
New Mexico	.7	1.6	.5	.8	1.2	.8	.2	.1	(9)						
Arizona	2.5	2.4	1.0	1.5	1.5	.4	.3								
Utah	.2	.3	.3	.2	.3	.2	.1	.2	.4						
Nevada	.6	.4	.6	.3	.5	.8	.8	.7							
Pacific:															
Washington	.4	.5	.5	.5	.4	.4	.9	.3							
Oregon	.2	.3	.2	.3	.4	.3	.4	.2	1.6						
California	1.4	1.1	.9	.7	.9	.7	.8	1.1	1.0						

Dakota Territory.

Includes population of Indian Territory.

Less than 1/10 of 1 percent.

GEOGRAPHIC DISTRIBUTION AND INCREASE

Negro and white population, by sections, divisions, and States

Section, division, and State	1930				1920				1910		1900	
	Total	Negro	White	Other races	Total	Negro	White	Other races	Negro	White	Negro	White
United States	122,775,046	11,891,143	108,864,207	2,019,696	105,710,620	10,463,131	94,120,374	1,127,115	9,827,763	81,364,447	8,833,994	66,809,196
The North	73,021,191	2,409,219	70,388,267	223,605	63,681,845	1,472,309	62,085,612	123,924	1,027,674	54,627,598	880,771	46,413,758
The South	37,857,633	9,361,677	27,673,879	822,177	33,125,803	8,012,231	23,731,899	481,673	8,749,427	16,521,253	7,922,969	16,521,970
The West	11,896,222	120,347	10,801,961	973,914	8,902,972	78,591	8,302,863	521,518	50,662	6,420,596	30,254	3,873,468
Geographic divisions:												
New England	8,166,341	94,086	8,065,113	7,142	7,400,909	79,051	7,315,995	5,863	66,306	6,480,468	59,099	5,527,026
Middle Atlantic	26,260,750	1,052,899	25,172,104	35,747	22,261,144	600,183	21,638,623	22,336	417,870	18,879,881	325,621	15,110,862
East North Central	25,207,185	930,450	24,277,663	89,072	21,475,543	514,554	20,931,279	29,710	300,836	17,926,513	257,842	15,710,053
West North Central	13,206,915	331,784	12,873,487	91,644	12,544,249	278,521	12,265,713	66,015	242,662	11,340,736	237,909	10,065,817
South Atlantic	15,793,589	4,421,388	11,349,284	22,917	13,990,272	4,325,120	9,648,556	16,596	4,112,488	8,071,473	3,729,017	6,706,058
East South Central	9,887,214	2,658,238	7,224,614	4,362	8,893,307	2,523,532	6,367,166	2,609	2,652,513	5,754,154	2,499,886	5,044,447
West South Central	12,176,830	2,281,951	9,069,981	794,898	10,242,224	2,063,579	7,716,177	462,468	1,984,426	6,490,626	1,694,066	4,771,065
Mountain	3,701,789	30,225	3,303,586	367,978	3,336,101	30,801	3,071,405	233,895	21,467	2,445,515	15,590	1,579,855
Pacific	8,194,433	90,122	7,498,375	605,936	5,566,871	47,790	5,231,458	287,623	20,195	3,975,081	14,664	2,293,613
New England:												
Maine	797,423	1,096	795,183	1,144	768,014	1,310	765,093	1,011	1,363	739,991	1,219	692,226
New Hampshire	465,263	790	464,350	153	443,093	621	442,330	132	564	429,906	662	410,791
Vermont	359,611	568	358,965	78	352,428	572	351,116	40	1,621	354,298	826	342,771
Massachusetts	4,249,614	52,365	4,192,926	4,323	3,852,356	45,466	3,803,467	3,423	38,055	3,324,897	31,974	2,769,764
Rhode Island	687,497	9,913	677,016	568	604,397	10,036	593,976	385	9,529	532,488	9,092	419,050
Connecticut	1,006,103	29,354	1,576,673	876	1,380,631	21,046	1,358,713	872	15,174	1,098,888	15,226	892,424
Middle Atlantic:												
New York	12,588,066	412,814	12,150,293	24,959	10,385,227	198,483	10,170,548	16,196	134,191	8,996,525	99,232	7,156,881
New Jersey	4,041,334	208,828	3,829,209	3,297	3,155,900	117,132	3,036,832	1,936	89,760	2,445,820	69,844	1,812,317
Pennsylvania	9,631,350	431,257	9,192,602	7,491	8,720,017	284,508	8,431,245	4,204	193,919	7,467,536	156,845	6,141,664
East North Central:												
Ohio	6,646,687	309,304	6,331,136	6,257	5,759,394	186,187	5,570,551	2,256	111,452	4,654,758	96,901	4,060,204
Indiana	3,238,503	111,682	3,116,136	10,385	2,630,390	80,810	2,848,246	1,234	60,320	2,639,876	57,595	2,458,502
Illinois	7,630,654	328,972	7,296,361	35,321	6,485,280	182,274	6,299,999	8,007	109,049	5,526,241	85,078	4,734,873
Michigan	4,842,325	169,453	4,650,171	22,701	3,668,412	60,082	3,600,283	8,047	17,115	2,785,135	15,816	2,398,563
Wisconsin	2,939,006	10,739	2,913,859	14,408	2,632,067	5,201	2,616,700	10,166	2,900	2,320,503	2,542	2,057,911
West North Central:												
Minnesota	2,563,953	9,445	2,538,975	15,535	2,387,125	8,809	2,368,586	9,730	7,084	2,059,143	4,959	1,737,036
Iowa	2,470,939	17,380	2,448,382	5,177	2,404,021	19,005	2,381,293	3,723	14,973	2,208,682	12,693	2,218,667
Missouri	3,629,367	223,840	3,398,887	6,640	3,404,055	178,241	3,221,661	4,153	157,452	3,133,570	161,234	2,944,843
North Dakota	680,845	377	671,243	9,225	646,872	467	639,912	6,493	617	569,845	285	311,712
South Dakota	692,949	646	690,453	22,750	636,547	832	619,052	16,663	817	563,747	455	380,714
Nebraska	1,377,963	13,752	1,353,702	10,509	1,296,372	13,242	1,276,473	6,667	7,689	1,179,094	6,269	1,050,526
Kansas	1,890,999	66,344	1,792,847	21,908	1,709,257	57,925	1,692,736	18,596	54,030	1,625,755	52,033	1,416,319
South Atlantic:												
Delaware	238,380	32,602	205,694	84	223,003	30,335	192,585	83	31,181	171,100	30,697	153,977
Maryland	1,631,526	276,379	1,354,170	977	1,449,661	244,479	1,204,690	492	232,250	1,062,627	235,064	952,424
District of Columbia	486,869	132,068	353,914	887	437,571	109,966	326,825	780	94,446	295,113	86,702	191,532
Virginia	2,421,851	650,165	1,770,405	1,281	2,309,187	690,017	1,617,871	1,299	671,096	1,389,802	660,722	1,192,855
West Virginia	1,729,205	114,893	1,613,934	378	1,463,701	86,345	1,376,176	176	64,173	1,196,811	43,499	915,233
North Carolina	3,170,276	918,647	2,234,948	16,681	2,559,123	763,407	1,783,769	11,947	697,843	1,500,508	624,469	1,263,003
South Carolina	1,738,765	793,681	944,040	1,044	1,683,724	864,719	818,532	473	835,843	679,159	782,321	557,807
Georgia	2,908,506	1,071,125	1,836,974	407	2,895,832	1,206,365	1,689,070	937	1,176,987	1,431,786	1,034,813	1,181,284
Florida	1,468,211	431,828	1,035,205	1,178	968,470	329,487	638,034	349	308,069	443,567	230,730	297,333

Negro and white population, by sections, divisions, and States—Continued

Section, division, and State	1930				1920				1910		1900	
	Total	Negro	White	Other races	Total	Negro	White	Other races	Negro	White	Negro	White
East South Central:												
Kentucky	2,614,589	226,040	2,388,364	185	2,416,630	235,938	2,180,462	230	261,656	2,027,926	284,706	1,862,309
Tennessee	2,616,556	477,646	2,138,619	291	2,337,885	451,758	1,885,939	188	473,088	1,711,417	480,243	1,540,186
Alabama	2,646,248	944,834	1,700,775	639	2,348,174	900,652	1,446,958	564	908,282	1,228,789	827,307	1,001,152
Mississippi	2,009,821	1,009,718	996,856	3,247	1,790,618	935,184	853,807	1,627	1,009,487	786,022	507,630	641,200
West South Central:												
Arkansas	1,854,482	478,463	1,374,906	1,113	1,752,204	472,220	1,279,479	505	442,891	1,130,878	266,856	644,580
Louisiana	2,101,593	776,326	1,318,160	7,107	1,798,509	700,257	1,093,991	4,261	713,874	939,789	650,804	729,612
Oklahoma	2,396,040	172,198	2,123,424	100,418	2,028,283	149,408	1,813,217	65,658	137,612	1,441,577	55,684	670,204
Texas	5,824,715	854,964	4,283,491	686,260	4,663,228	741,694	3,529,410	392,044	690,049	2,978,382	620,722	2,426,663
Mountain:												
Montana	537,606	1,256	517,327	19,023	548,889	1,658	533,991	13,240	1,834	360,491	1,523	226,283
Idaho	445,032	668	437,562	6,802	431,866	920	424,540	6,406	651	319,074	293	154,495
Wyoming	225,565	1,260	214,067	10,248	194,402	1,375	188,146	4,881	2,235	139,990	940	89,051
Colorado	1,035,791	11,828	961,117	62,846	939,629	11,318	909,763	18,548	11,453	780,146	8,570	529,046
New Mexico	423,317	2,850	331,755	88,712	360,350	5,733	301,879	52,738	1,628	283,574	1,610	180,207
Arizona	435,573	10,749	264,378	160,446	334,162	8,005	202,985	123,172	2,009	122,360	1,848	92,903
Utah	507,847	1,108	495,955	10,784	449,396	1,446	440,699	7,251	1,144	366,425	672	272,465
Nevada	91,058	516	81,425	9,117	77,407	346	69,402	7,659	513	73,455	134	35,405
Pacific:												
Washington	1,563,396	6,840	1,521,099	35,457	1,356,621	6,883	1,319,393	30,345	6,058	1,108,967	2,514	496,304
Oregon	953,786	2,234	937,029	14,523	783,389	2,144	768,530	12,715	1,492	654,833	1,105	394,582
California	5,677,251	51,048	5,040,247	555,956	3,426,861	38,763	3,143,535	244,563	21,645	2,211,281	11,045	1,402,727
Section, division, and State	1890		1880		1870		1860		1850			
	Negro	White	Negro	White	Negro	White	Negro	White	Negro	White		
United States	7,488,676	55,101,258	6,580,793	43,402,970	4,880,009	33,589,377	4,441,830	26,922,537	3,638,808	19,553,068		
The North	701,018	39,035,798	615,038	31,235,267	452,818	24,815,772	340,240	19,337,997	285,369	13,745,077		
The South	6,760,577	13,193,453	5,965,755	10,555,427	4,420,811	7,863,209	4,097,111	7,033,973	3,352,198	5,630,414		
The West	27,081	2,872,007	11,852	1,612,276	6,380	910,396	4,479	550,567	1,241	177,577		
Geographic divisions:												
New England	44,580	4,653,191	39,925	3,968,789	31,705	3,455,043	24,711	3,110,480	23,021	2,705,095		
Middle Atlantic	225,326	12,468,794	189,492	10,305,055	148,033	8,662,226	131,290	7,327,548	126,741	5,771,994		
East North Central	207,023	13,253,725	183,298	11,012,047	130,497	8,987,512	63,699	6,855,644	45,195	4,478,065		
West North Central	224,089	8,060,088	202,323	5,949,376	142,583	3,710,991	120,540	2,044,325	90,412	789,923		
South Atlantic	3,262,690	5,592,149	2,941,202	4,657,112	2,216,705	3,635,238	2,058,198	3,305,107	1,860,871	2,818,219		
East South Central	2,119,797	4,305,668	1,924,906	3,657,593	1,464,252	2,929,091	1,394,360	2,626,376	1,122,790	2,240,481		
West South Central	1,378,090	3,295,636	1,087,705	2,243,722	739,854	1,288,880	644,553	1,102,490	368,537	571,714		
Mountain	12,971	1,117,363	5,022	614,821	1,555	301,848	235	164,092	72	72,855		
Pacific	14,110	1,754,644	6,830	997,455	4,825	608,548	4,244	386,475	1,169	104,722		
New England:												
Maine	1,190	659,263	1,451	646,852	1,606	624,809	1,327	626,947	1,356	581,813		
New Hampshire	614	375,840	685	346,229	680	317,697	494	325,579	520	317,456		
Vermont	937	331,418	1,057	331,218	924	329,613	709	314,369	718	313,402		
Massachusetts	22,144	2,215,373	18,697	1,763,782	13,947	1,443,156	9,602	1,221,432	9,064	985,450		
Rhode Island	7,393	337,859	6,488	269,939	4,980	212,219	3,952	170,649	3,670	143,875		
Connecticut	12,302	733,438	11,547	610,769	9,668	527,549	8,627	451,504	7,693	363,099		
Middle Atlantic:												
New York	70,092	5,923,955	65,104	5,016,022	52,081	4,330,210	49,005	3,831,590	49,069	3,048,325		
New Jersey	47,638	1,396,581	38,853	1,092,017	30,658	876,407	25,336	646,699	24,046	465,509		
Pennsylvania	107,596	5,148,258	85,535	4,197,016	65,294	3,456,609	56,949	2,849,259	53,626	2,258,160		
East North Central:												
Ohio	87,113	3,584,805	79,900	3,117,920	63,213	2,601,946	36,673	2,302,808	25,279	1,955,050		
Indiana	45,215	2,146,736	39,228	1,938,798	24,560	1,655,837	11,428	1,338,710	11,262	977,154		
Illinois	57,028	3,768,472	46,368	3,031,151	28,762	2,511,096	7,628	1,704,291	5,436	846,034		
Michigan	15,223	2,072,884	15,100	1,614,560	11,849	1,167,282	6,799	736,142	2,883	395,071		
Wisconsin	2,444	1,680,828	2,702	1,309,618	2,113	1,051,351	1,171	773,693	635	304,756		
West North Central:												
Minnesota	3,683	1,296,408	1,564	776,884	759	438,257	259	160,395	39	6,038		
Iowa	10,685	1,901,090	9,516	1,614,600	5,762	1,188,207	1,069	673,779	333	191,881		
Missouri	150,184	2,528,458	145,350	2,022,826	118,071	1,603,146	118,503	1,063,489	90,040	592,004		
North Dakota	373	182,407	113	36,192	94	12,887		2,576				
South Dakota	541	328,010	288	96,955	789	122,117	82	28,696				
Nebraska	8,913	1,047,096	2,385	449,764	17,108	346,377	627	100,390				
Kansas	49,710	1,376,619	43,107	952,155								
South Atlantic:												
Delaware	28,386	140,066	25,442	120,160	22,794	102,221	21,627	90,589	20,363	71,169		
Maryland	215,657	826,493	210,230	724,693	175,391	605,497	171,131	515,918	165,091	417,943		
District of Columbia	75,572	154,065	59,596	118,006	43,404	88,278	14,316	60,763	13,746	37,941		
Virginia	635,438	1,020,122	631,616	880,858	512,841	712,089	548,907	1,047,299	526,861	894,800		
West Virginia	32,690	730,077	25,856	592,537	17,980	424,033						
North Carolina	561,018	1,055,382	531,277	867,242	391,650	678,470	361,522	629,942	316,011	553,028		
South Carolina	688,934	462,008	604,332	391,105	415,814	289,667	412,320	291,300	393,944	274,563		
Georgia	858,815	978,357	725,133	816,906	545,142	638,926	465,668	591,550	384,613	521,572		
Florida	166,180	224,949	126,690	142,605	91,689	96,057	62,677	77,746	40,242	47,203		
East South Central:												
Kentucky	268,071	1,590,462	271,451	1,377,179	222,210	1,098,692	236,167	919,484	220,992	761,413		
Tennessee	430,678	1,336,637	408,151	1,138,631	322,331	936,119	285,019	826,722	245,881	756,836		
Alabama	678,489	833,718	600,103	662,185	475,510	521,384	437,770	526,771	345,109	426,514		
Mississippi	742,559	544,851	650,291	479,398	444,201	382,896	437,404	353,899	310,808	295,718		
West South Central:												
Arkansas	309,117	818,752	210,666	591,531	122,169	362,115	111,259	324,143	47,708	162,189		
Louisiana	559,193	558,395	483,655	454,954	364,210	362,065	350,373	357,456	262,771	255,491		
Oklahoma	21,609	172,554										
Texas	488,171	1,745,935	393,384	1,197,237	253,475	564,700	182,921	420,891	58,558	154,034		
Mountain:												
Montana	1,490	127,690	346	35,385	183	18,306						
Idaho	201	82,117	53	29,013	60	10,618						
Wyoming	922	60,324	298									

EXHIBIT 2

	Number of prisoners	Total population	Rate per 100,000
1933 (first 6 months) (county and municipal jails):			
Negroes:			
13 Southern States.....	25,496	8,805,635	290
Remaining 35 States and District of Columbia.....	29,742	3,085,508	957
Whites:			
13 Southern States.....	35,273	24,146,167	146
Remaining 35 States and District of Columbia.....	140,002	84,718,040	166
1934 (State and Federal prisons and reformatories):			
Negroes:			
10 Southern States (3 Southern States not reporting).....	6,616	5,779,958	114
35 remaining States and District of Columbia.....	8,287	3,085,508	267
Whites:			
10 Southern States.....	9,319	19,611,562	47
35 remaining States and District of Columbia.....	35,772	84,718,040	42
1935 (State and Federal prisons and reformatories):			
Negroes:			
10 Southern States (3 Southern States not reporting).....	7,627	5,779,958	132
35 remaining States and District of Columbia.....	8,735	3,085,508	283
Whites:			
10 Southern States.....	9,980	19,611,562	51
35 remaining States and District of Columbia.....	38,002	84,718,040	46

During the delivery of Mr. ELLENDER's address,

Mr. MORSE. Mr. President, will the Senator yield with the understanding that he will not lose the floor?

Mr. ELLENDER. Gladly.

Mr. MORSE. I should like to ask the Senator from Louisiana if he will extend to me the courtesy of permitting me to offer at this time an amendment in the nature of a substitute for Senate bill 101, with the understanding that my request and the proposed substitute will be printed at the end of his remarks?

Mr. ELLENDER. I gladly yield.

Mr. MORSE. I am not asking for the privilege of discussing the substitute at this time, as I shall do later, but I should like to have the substitute printed so that Members of the Senate may study it and consider it. The substitute relates to some suggestions which the junior Senator from Oregon has heretofore made on the floor of the Senate.

Therefore, Mr. President, I ask unanimous consent to present the amendment in the nature of a substitute and that it lie on the table and be printed in the body of the Record.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment in the nature of a substitute, intended to be proposed by Mr. MORSE, is as follows:

Amendment (in the nature of a substitute) intended to be proposed by Mr. MORSE to the bill (S. 101) to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry, viz: Strike out all after the enacting clause and insert the following:

"That this act may be cited as the 'Fair Employment Practice Act.'"

"FINDINGS AND DECLARATION OF POLICY"

"Sec. 2. The Congress hereby finds and declares—

"(a) That the practice of denying employment opportunities to, and discriminating in employment against, properly qualified persons by reason of race, religious creed, or

color is contrary to the principles of freedom and equality of opportunity upon which this Nation is built, is incompatible with the provisions of the Constitution, foments domestic strife and unrest, deprives the United States of the fullest utilization of its capacities for production and defense, and burdens, hinders, and obstructs commerce.

"(b) That it is the policy of the United States to bring about the elimination of discrimination because of race, religious creed, or color in all employment relations which fall within the jurisdiction or control of the Federal Government.

"UNFAIR EMPLOYMENT PRACTICES DEFINED"

"Sec. 3. (a) It shall be an unfair employment practice for any employer within the scope of this act—

"(1) to refuse to hire any person because of such person's race, religious creed, color, national origin, or ancestry;

"(2) to discharge any person from employment because of such person's race, religious creed, color, national origin, or ancestry;

"(3) to discriminate against any person in compensation or in other terms or conditions of employment because of such person's race, religious creed, color, national origin, or ancestry; and

"(4) to confine or limit recruitment or hiring of persons for employment to any employment agency, placement service, training school or center, labor union or organization, or any other source that discriminates against persons because of their race, religion, color, creed, national origin, or ancestry.

"(b) It shall be an unfair employment practice for any labor union within the scope of this act—

"(1) to deny full membership rights and privileges to any person because of such person's race, religion, creed, color, national origin, or ancestry;

"(2) to expel from membership any person because of such person's race, religion, creed, color, national origin, or ancestry; or

"(3) to discriminate against any member, employer, or employee because of such person's race, religion, creed, color, national origin, or ancestry.

"(c) It shall be an unfair employment practice for any employer or labor union within the scope of this act to discharge, expel, or otherwise discriminate against any person because he has opposed any practices forbidden by this act or because he has filed a charge, testified, or assisted in any proceeding under this act.

"SCOPE OF ACT"

"Sec. 4. (a) This act shall apply to any employer having in his employ 50 or more persons, who is (1) engaged in interstate or foreign commerce or in operations affecting such commerce; (2) under contract with the United States or any agency thereof or performing work, under subcontract or otherwise, called for by a contract to which the United States or any agency thereof is a party, awarded, negotiated, or renegotiated as hereinafter provided in section 8 of this act.

"(b) This act shall apply to any labor union which has 50 or more members who are engaged in interstate or foreign commerce or in operations affecting such commerce or employed by the United States or any Territory, insular possession, or instrumentality thereof.

"(c) This act shall apply to the employment practices of the United States and of every Territory, insular possession, agency, or instrumentality thereof, except that subsection (b) of section 6, providing for enforcement by the courts, shall not apply in any case of any department or independent agency of the United States; but in any such case the Fair Employment Practice Commission established by section 5 of this act shall make a report to the President, and it shall thereupon be the duty of the President to

take such measures as he deems appropriate to prevent such department or agency from engaging in an unfair employment practice.

"FAIR EMPLOYMENT PRACTICE COMMISSION"

"Sec. 5. (a) There is hereby created a commission to be known as the Fair Employment Practice Commission (hereinafter referred to as the 'Commission'), which shall be composed of five members who shall be appointed by the President, by and with the advice and consent of the Senate. One of the original members shall be appointed for a term of 1 year, one for a term of 2 years, one for a term of 3 years, one for a term of 4 years, and one for a term of 5 years, but their successors shall be appointed for terms of 5 years each, except that any individual chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed. The President shall designate one member to serve as chairman of the Commission. Any member of the Commission may be removed by the President upon notice and hearing for neglect of duty or malfeasance in office, but for no other cause.

"(b) A vacancy in the Commission shall not impair the right of the remaining members to exercise all the powers of the Commission and three members of the Commission shall at all times constitute a quorum.

"(c) The Commission shall have an official seal which shall be judicially noticed.

"(d) Each member of the Commission shall receive a salary at the rate of \$10,000 a year, and shall not engage in any other business, vocation, or employment.

"(e) When three members of the Commission have qualified and taken office, the Committee on Fair Employment Practice established by Executive Order No. 9346 of May 27, 1943, shall cease to exist. All employees of the said Committee shall then be transferred to and become employees of the Commission, and all records, papers, and property of the Committee shall then pass into the possession of the Commission.

"(f) The principal office of the Commission shall be in the District of Columbia, but it may meet and exercise any or all of its powers at any other place and may establish such regional offices as it deems necessary. The Commission may, by one or more of its members or by such agents or agencies as it may designate, conduct any investigation, proceeding, or hearing necessary to its functions in any part of the United States.

"(g) The Commission shall have power—

"(1) to appoint such officers and employees as it deems necessary to assist it in the performance of its functions;

"(2) to cooperate with or utilize regional, State, local, and other agencies and to utilize voluntary and uncompensated services;

"(3) to pay to witnesses whose depositions are taken or who are summoned before the Commission or any of its agents or agencies the same witness and mileage fees as are paid to witnesses in the courts of the United States;

"(4) to issue, from time to time, such regulations as it deems necessary to regulate its own procedure and the appearance of persons before it, and to amend or rescind, from time to time, any such regulation whenever it deems such amendment or rescission necessary to carry out the provisions of this Act;

"(5) to serve process or other papers of the Commission, either personally, by registered mail, or by leaving a copy at the principal office or place of business of the person to be served; and

"(6) to make such technical studies as are appropriate to effectuate the purposes and policies of this Act and to make the results of such studies available to interested Government and nongovernmental agencies.

"DUTIES OF THE COMMISSION"

"Sec. 6. (a) It shall be the duty of the Commission to bring about the removal of discrimination in regard to hire, or tenure,

terms, or conditions of employment, or union membership, because of race, religious creed, or color—

"(1) by making comprehensive studies of such discrimination in different metropolitan districts and sections of the country and of the effect of such discrimination, and of the best methods of eliminating it;

"(2) by formulating, in cooperation with other interested public and private agencies, comprehensive plans for the elimination of such discrimination, as rapidly as possible, in regions or areas where such discrimination is prevalent;

"(3) by publishing and disseminating reports and other information relating to such discrimination and to ways and means for eliminating it;

"(4) by conferring, cooperating with, and furnishing technical assistance to employers, labor unions, and other private and public agencies in formulating and executing policies and programs for the elimination of such discrimination;

"(5) by receiving and investigating complaints charging any such discrimination and by investigating other cases where it has reason to believe that any such discrimination is practiced; and

"(6) by making specific and detailed recommendations to the interested parties in any such case as to ways and means for the elimination of any such discrimination.

"(b) Whenever the Commission finds that any person has engaged in any unfair employment practice within the scope of this act and that the Commission is unable to eliminate such unfair employment practice by use of the means specified in subsection (a), the Commission may apply to the appropriate district court of the United States for an order enjoining such person from engaging in such unfair employment practice; and upon a showing by the Commission that such person has engaged in or is about to engage in such unfair employment practice, the court may grant without bond a permanent or temporary injunction, restraining order, or other order prohibiting such person from engaging in such practice.

"(c) The Commission shall at the close of each fiscal year report to the Congress and to the President describing in detail the investigations, proceedings, and hearings it has conducted and their outcome, the decisions it has rendered, and the other work performed by it, and shall make such recommendations for further legislation as may appear desirable. The Commission may make such other recommendations to the President or any Federal agency as it deems necessary or appropriate to effectuate the purposes and policies of this act.

"INVESTIGATORY POWERS

"SEC. 7. (a) For the purpose of all investigations, proceedings, or hearings which the Commission deems necessary or proper for the exercise of the powers vested in it by this act, the Commission, or its authorized agents or agencies, shall at all reasonable times have the right to examine or copy any evidence of any person relating to any such investigation, proceeding, or hearing.

"(b) Any member of the Commission shall have power to issue subpoenas requiring the attendance and testimony of witnesses and the production of any evidence relating to any investigation, proceeding, or hearing before the Commission, its member, agent, or agency conducting such investigation, proceeding, or hearing.

"(c) Any member of the Commission, or any agent or agency designated by the Commission for such purposes, may administer oaths, examine witnesses, receive evidence, and conduct investigations, proceedings, or hearings.

"(d) Such attendance of witnesses and the production of such evidence may be required, from any place in the United States or any

Territory or possession thereof, at any designated place of hearing.

"(e) In case of contumacy or refusal to obey a subpoena issued to any person under this act, any district court of the United States or the United States courts of any Territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the investigation, proceeding, or hearing is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Commission shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission, its member, agent, or agency, there to produce evidence if so ordered, or there to give testimony relating to the investigation, proceeding, or hearing; any failure to obey such order of the court may be punished by it as a contempt thereof.

"(f) No person shall be excused from attending and testifying or from producing documentary or other evidence in obedience to the subpoena of the Commission, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

"GOVERNMENT CONTRACTS

"SEC. 8. (a) All contracting agencies of the Government of the United States shall include in all contracts hereafter awarded, negotiated, or renegotiated by them, except such classes of contracts as may be exempted from the scope of this provision by regulations of the Commission, a provision obligating the contractor not to discriminate against any employee or applicant for employment because of race, religion, creed, color, national origin, or ancestry, and requiring him to include a similar provision in all subcontracts.

"(b) No contract shall be awarded or executed by the United States or any agency thereof to any person found by the Commission to have violated any such provision of such a contract or to any firm, corporation, partnership, or association in which such person has a controlling interest, for a period to be fixed by the Commission not to exceed 3 years from the date when the Commission determines such violation to have occurred. The Commission may by subsequent order, for good cause shown, reduce any period so fixed. The Comptroller General is authorized and directed to distribute a list to all agencies of the United States containing the names of such persons.

"Amend the title so as to read: 'A bill to prohibit discrimination in employment because of race, religion, creed, color, national origin, or ancestry.'

ORDER OF BUSINESS

After the conclusion of Mr. ELLENDER's speech,

Mr. RUSSELL Mr. President, at least two important conferences are scheduled to be held this afternoon. If the Senator from Louisiana [Mr. ELLENDER] and the Senator from Maine [Mr. WHITE] will agree, I should like very much to have the Senate take a recess at this time until 12 o'clock tomorrow.

Mr. ELLENDER. Mr. President, providing I do not lose any of my privileges, I shall gladly consent to a recess being taken at this time until 12 o'clock noon tomorrow. I have just about warmed up.

I have sufficient data to enable me to speak for at least 30 hours. I do not wish to encroach unnecessarily upon the time of the Senate, but if I may be permitted to resume the floor upon the convening of the Senate tomorrow so that I may put into the RECORD some of the figures to which I have referred, I shall be glad to have the Senate take a recess now.

Mr. WHITE. Mr. President, on yesterday the majority accorded the minority the courtesy of an early adjournment in order that the minority might hold a conference. I believe it to be entirely proper for the minority now to accord the majority a like courtesy. I have no objection to the Senate taking a recess at this time.

COLFIRMATION OF NOMINATIONS

The PRESIDENT pro tempore. Before entertaining a motion to recess, the Chair wishes to invite attention to the fact that there are several important nominations on the Executive Calendar which should be disposed of.

Mr. MEAD. Mr. President, I had intended to invite the attention of the Chair and of the other Members of the Senate to the long list of nominations on the Executive Calendar. I ask unanimous consent that, as in executive session, certain executive matters be considered.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from New York? The Chair hears none.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting the nomination of Alexander H. Bell, of Norfolk, Va., to be collector of customs, collection district No. 14, with headquarters at Norfolk, Va., which was referred to the Committee on Finance.

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. MURRAY, from the Committee on Education and Labor:

William S. Tyson, of North Carolina, to be Solicitor of Labor.

The PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state the nominations on the calendar.

IN THE NAVY—NOMINATION PASSED OVER

The legislative clerk read the nomination of Earle W. Mills to be vice admiral, for temporary service, effective from December 31, 1945.

Mr. WHITE. Mr. President, the nomination was passed over at my request. I have no desire at this time to renew the request.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

INTERNATIONAL MONETARY FUND AND INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

The legislative clerk read the nomination of Fred M. Vinson, of Kentucky, to

be United States Governor of the International Monetary Fund and United States Governor of the International Bank for Reconstruction and Development for a term of 5 years.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of William L. Clayton to be United States Alternate Governor of the International Monetary Fund and United States Alternate Governor of the International Bank for Reconstruction and Development for a term of 5 years.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Harry D. White to be United States Executive Director of the International Monetary Fund for a term of 2 years and until his successor has been appointed.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Emilio G. Collado to be United States Executive Director of the International Bank for Reconstruction and Development for a term of 2 years and until his successor has been appointed.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

RECONSTRUCTION FINANCE CORPORATION

The legislative clerk read the nomination of Harvey Jones Gunderson to be member for a term of 2 years from January 22, 1946.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Henry T. Bodman to be a member for a term of 2 years from January 22, 1946.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Charles B. Henderson to be member for a term of 2 years from January 22, 1946.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

NATIONAL MEDIATION BOARD

The legislative clerk read the nomination of Frank P. Douglass to be member for the term expiring February 1, 1949.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

NATIONAL HOUSING AGENCY

The legislative clerk read the nomination of Wilson W. Wyatt to be National Housing Administrator.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

SELECTIVE SERVICE SYSTEM

The legislative clerk read the nomination of Candler Cobb to be director of selective service for New York City.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

THE ARMY

The legislative clerk proceeded to read sundry nominations in the Army.

Mr. RUSSELL. Mr. President, I ask unanimous consent that the nominations in the Army be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations in the Army are confirmed en bloc.

Mr. MEAD. I ask unanimous consent that the President be notified of all nominations confirmed today.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

RETIREMENT OF LT. GEN. LEVIN H. CAMPBELL, JR., FROM ARMY SERVICE FORCES

Mr. MEAD. Mr. President, I wish to invite the attention of the Senate to the fact that the Army Service Forces is losing one of its most dominating military leaders this month—February 13—when Lt. Gen. Levin H. Campbell, Jr., Chief of Ordnance during World War II, retires to become vice president of International Harvester Co. That such a nationally reputed organization as International Harvester has chosen General Campbell to coordinate its hundred-million-dollar postwar construction and reconversion program is ample testimony of the efficient manner in which he handled the difficult ordnance job of getting and supplying the arms and ammunition that won the war. I wish to take a few minutes at this time to express the respect and admiration of the Government and the public for this man who was responsible for the turning out of billions of dollars' worth of superb battle tools for our armed forces.

General Campbell became Chief of Ordnance in June of 1942. Since 1940 he had been in charge of the development and construction of the new ordnance installations that mushroomed throughout the country to meet mounting demands for war weapons. In this capacity General Campbell proved himself to be a man who could meet and beat all emergencies. His success was due to his own extensive knowledge of industry, his faith in the ability of his staff, and, above all, to the cooperation he inspired between the leaders of United States industry and the United States Army Ordnance Department.

One of his most effective ideas in getting large production at minimum cost in minimum time was the establishment of the Industry Integration Committees. Senators all know the amazing production quotas American manufacturers attained at the very beginning of the war. No little part of this was due to the keen understanding, the cooperation, and the high standards of General Campbell's Industry Integration Committees. He not only won the wholehearted support of leading industrialists but he staffed his department with technical specialists who understood every phase of labor and management.

The roster of Ordnance Department officers during the war reads like a four-

star cast of industrial experts. With such a group he proceeded to build the mightiest arsenal of guns, trucks, tanks, ammunition; together with some 350,000 bits and pieces of ordnance material including all the nuts, bolts, screws, and tools necessary to maintain the hardest-hitting weapons and the finest automotive equipment that the world has ever seen.

He not only supervised the production of this tremendous project but he saw to it that these weapons reached the troops. He built one of the smoothest-running supply systems ever operated, and commanded regiments of skilled automotive, optical, and weapons repairmen to keep ordnance supplies in fighting trim. I remember reading the late Ernie Pyle's amazed observation after he had traveled for a while with an outfit of these ordnance craftsmen in Normandy. Said Pyle, "I've been finding more damned square pegs in square holes in the Army lately. Something must be wrong." But it was not wrong the way Lt. Gen. Levin H. Campbell, Chief of Ordnance, figured it. It was exactly what he planned. His Army was a civilian as well as a soldier army. It was an army of selected, skilled workers who had a whopping big job to do—keeping all our armies rolling and shooting—and they did it superbly.

One of the greatest miracles of increased production and cost reduction during the war was achieved by the Ammunition Division of the Ordnance Department. The major part of the credit for this superb job was attributed to General Campbell by the Honorable ALBERT J. ENGEL, member of the War Department Subcommittee, House Appropriations Committee, in a report published in August 1944, in which he said:

I have on numerous occasions pointed out how money has been wasted. It gives me a great deal of satisfaction to be able to point out this instance in which the taxpayers are obtaining value received for every dollar spent.

Before Pearl Harbor private industry produced 95 percent of the powder and explosives in the United States. By 1944 the War Department was producing 95 percent and private industry only 5 percent. In this time the War Department had improved production methods to the point that TNT production costs had dropped from 29 to 7 cents a pound. The cost of 16-inch shells was reduced by \$400 and 12-inch shells by \$100. The cost of loading shells and the man-hours required to load them was also greatly reduced. Among the reasons given by Congressman ENGEL for these cost reductions were the close and effective cooperation between industry and the War Department in the operation of ammunition plants, which made information of every kind and quality which industry possessed available to all concerned without reservation. Operational costs were continually analyzed and compared, thereby creating a competitive spirit. Each plant tried not only to increase efficiency but also to reduce their costs to the level of the plant which had the lowest unit-cost level. General Campbell believed that this spirit of competition was a more worthy motivation for

maximum production than huge monetary bonuses; and again his keen judgment was crowned by success.

In addition to ammunition cost and production records the Ordnance Department built up one of the most amazing safety records in the history of any industry during this period. Ammunition production safety precautions were so rigidly enforced under General Campbell's command that the most dangerous industry in the world chalked up an enviable safety record, surpassed only by the Women's Garment Industry of America.

In all these achievements we recognize administrative genius. But General Campbell has more than that. His engineering ability has merited the general approval of engineers throughout the country.

After World War I General Campbell studied artillery matériel production under Pliny Holt, of the Holt Manufacturing Co. in Stockton, Calif. Pliny Holt was a renowned automotive engineer in those days when the automotive business was a gangling, noisy youngster, and General Campbell received excellent training on the ground floor of the powerful industry with which he was to work hand-in-glove 20 years later.

His first claim to engineering distinction came in 1923 at Rock Island, where he inaugurated manufacturing techniques for producing gun carriages and self-propelled fighting vehicles. Later he revolutionized the art of artillery ammunition production in several of its most important phases while serving at Frankford Arsenal. Progress in the machining of shells, the manufacture of cartridge cases and the production of mechanical time fuzes had been extremely limited until General Campbell devoted his talents to these fields. His improved techniques introduced vast new avenues for quantity production in Government arsenals which paved the way for the great expansion in production methods which characterized the industry-ordnance effort during the war.

The huge new canning program the Army is now following to preserve the weapons used in the war was first introduced in the Army by General, then captain, Campbell after World War I. The same weapons sealed by young Captain Campbell in his canning experiment were found ready for action 20 years later when World War II was declared.

His engineering skill has won General Campbell many honors, including an honorary degree of doctor of laws from the University of Arkansas and an honorary life membership in the American Society of Mechanical Engineers.

With such a military record one would surely think that the general was a West Point graduate, or at least was initiated in the Regular Army. Actually this three-star Army ordnance officer received his commission from the United States Naval Academy in 1909. He elected to transfer into the Army 2 years after he graduated from Annapolis.

Another interesting fact about General Campbell is that he is one of the few great leaders I know who was born in Washington, D. C. He was born in the

center of the town most noted throughout the Nation for its predilection for red tape, and yet his slogan—tacked on the walls of Ordnance throughout the world—reads, "Whenever a member of the Ordnance Department, regardless of rank, encounters red tape in conducting our business, throw the red tape to hell out the window. Accept that, please, as a definite general order."

The Senators present who visited Aberdeen Proving Grounds and saw the mighty array of ordnance weapons which were used in this war realize that General Campbell administered not only a highly productive ordnance industry but that his department gave our soldiers the finest equipment to be had. The late General Patton was one of the heartiest appraisers of the high quality of Army Ordnance equipment. His praise of American tanks was high-lighted in every newspaper in the Nation. He called the M1 rifle "the sweetheart of the Army," and rated it the finest weapon ever produced.

General Campbell has reason to be proud of the fine, businesslike ordnance organization which he molded from meager beginnings, and we Americans are proud to have had such a military leader in such perilous times. Emerson was speaking of such men when he wrote:

A nation great and strong,
Not gold, but only men can make
Men who for truth and honor's sake
Stand fast and suffer long.
Brave men who work while others sleep,
Who dare while others shy,
They build a nation's pillars deep
And lift them to the sky.

RECESS

Mr. RUSSELL. Mr. President—

Mr. MORSE. Mr. President, I wonder if the Senator from Georgia [Mr. RUSSELL] will withhold the motion which I presume he is about to make that the Senate now take a recess until I file my standing protest.

Mr. RUSSELL. I shall be glad to yield to the Senator from Oregon.

Mr. MORSE. I understand that the purpose of the recess which is about to be taken a few minutes before 4 o'clock in the afternoon, is to enable the majority party to hold a conference in regard to the situation involving the FEPC bill which now confronts the Senate. I am well aware of the fact that the majority should perhaps hold a conference, but I regret that it is to be held at such an early hour. I wish the majority would hold its conference at a later hour in the day, because I am still of the belief that the Senate of the United States should proceed with the business now pending before it. I still believe that the Journal should be immediately approved, and that we should proceed, under the usual parliamentary procedure, to consider the merits of the FEPC bill. We should return to what I believe is to be the great obligation of the Senate, namely, that of voting, and thereby be enabled to proceed with other vital problems now confronting America. More important than that, Mr. President, the great Senate of the United States should be enabled again to return to the principle of majority rule.

SALE OF CERTAIN GOVERNMENT-OWNED MERCHANT VESSELS

Mr. MAGNUSON. Mr. President, I understand the distinguished Senator from Maryland [Mr. RADCLIFFE] is about ready to present to the Senate the conference report on the ship-disposal bill.

Just prior to the Christmas recess, during the discussion of the bill, I called the attention of the Senate to the plight of the Alaskan steamship operators. The conference report makes no provision, as yet, to rectify that situation.

I told the Senate during the debate that not only were the Alaskan steamship operators in bad shape because none of the ships to be disposed of was adaptable to the Alaskan trade, but I said that something would probably happen if they kept on using the 20-year-old fleet, as they must do, since they cannot afford, as Members of the Senate well know, to construct ships at present construction costs without a doubling of the now excessive Alaskan rates.

Day before yesterday, one of those old ships went aground. That is a yearly occurrence in Alaska. Fortunately, everyone was saved.

During the war, some Liberty ships were tried in Alaskan waters. I personally went out and looked at nine cracked Liberty ships trying to ply those waters. The Russians used some of our ships, and they cracked up four. We simply cannot use the ships which are available, and the Senate and the Congress should take notice of that. The incident which occurred day before yesterday should force the matter upon the attention of the Congress, and, despite the fact that I know the importance of having the ship-disposal bill acted upon immediately so that the Maritime Commission may dispose of the millions of tons of ships which are now under the control of the War Shipping Administration, I sincerely hope that before it is too late, and before all our intercoastal trade to Alaska is gone, and is moved over the Canadian Railroad and in Canadian barges to Alaska, and before another accident may happen—and they happen almost yearly—the Senate will heed my plea that some kind of measure for the relief of the Alaskan ship operators be passed.

The PRESIDENT pro tempore. The Chair will state to the Senator that the report of the conference committee is still on the desk and undisposed of. It has not been put on the calendar or otherwise disposed of in any way.

Mr. MAGNUSON. I thank the Presiding Officer. I understood the committee was ready to make the report.

Mr. BAILEY. Mr. President it is true that the conferees are ready to make the report, and I think it should be made. It was filed yesterday. But the bill in question is a bill to dispose of ships already in existence. It is not a bill to build ships. The Senator from Washington just stated that none of the ships we are disposing of are suitable to the Alaskan trade. Therefore his point with respect to this conference report could not possibly be well taken. We are not trying to dispose of ships not in existence, but we

are attempting to dispose of ships already built. I repeat, the Senator says the ships we are disposing of are not suitable to the Alaskan trade. If that be the case, the thing to do is to build some ships which will be suitable. I do not see what his remarks have to do with the conference report.

Mr. MAGNUSON. Mr. President, I wish to say to the very able chairman of the Committee on Commerce that I bring the matter up now again because of the incident of day before yesterday; secondly, because I attempted on the floor of the Senate, at the time the bill was under consideration, and in the committee, to amend it, on the ground that the situation was acute.

I appreciate that the bill is a ship-disposal measure, and that what I am discussing would be somewhat in the nature of a construction subsidy. The Senator from Maine and I discussed that on the floor of the Senate. I refer to it again now because at the present time an already bad situation is becoming much worse, and I knew of no other way to call the matter to the attention of the Senate.

The matter does have some bearing on the ship-disposal bill, because under that bill all other operators in foreign trade—and this trade is in foreign competition—will have an opportunity, by the terms of the bill and the conference report, if I understand some of its features correctly, to get ships at such a reduced cost that they will be able to operate. Alaskan operators are completely shut out.

I appreciate that the reason why the Senate rejected my amendment was, as the able chairman has stated, that it refers to another category of our merchant marine. But I was just as desperate as are the Alaskan operators in hoping something would be done about the situation.

Mr. BAILEY. Mr. President, the Alaskan operators will have the same opportunity, under the bill, any other operator will have. The Senator's point is that they do not wish any of the ships which are to be disposed of. I think his remedy must be to introduce some sort of a bill. The bill would have to be different from the Maritime Act. The Maritime Act already provides for a construction subsidy, and the Alaskan operators therefore should apply to the Maritime Commission to build the ships to suit their peculiar trade.

I do not know what caused the wreck of the *Yukon*. She ran on a reef, but all the Congresses that ever existed and all the shipbuilders who ever built a ship could not build one which would be safe when it ran on a reef in Alaskan waters.

Mr. MAGNUSON. I merely wish to clarify something, Mr. President. Of course, what the Senator says is true, but the *Yukon* ran on a reef because she was so old she could not withstand the storm which occurred at the time. The average age of the fleet in Alaskan waters, as I have said, is 20 years, and these ships just break up because they are too old. I do not know whether the accident to the *Yukon* was due to bad

navigation or not, but I do know that because of her age she could not withstand the storm which raged. She practically broke up before she hit the reef.

Mr. President, I ask permission to include at the conclusion of my remarks an editorial from the *Everett* (Wash.) Herald of December 31, 1945, by Mr. Paul Dunham, which pretty well states the situation.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CAPITAL NEWS

(By Paul Dunham)

WASHINGTON, D. C., December 31.—Mainly because it involved departure from the traditional policy of the United States opposed to the subsidizing of intercoastal trade, an amendment to the ship-disposal bill proposed by Senator MAGNUSON, of Washington, was rejected. The Washington Senator advanced what seemed to be sound argument in favor of his amendment and practically the only opposition was based on its possible violation of tradition, but this was enough to defeat it. The situation, with respect to the Alaska trade is unlike that which exists on the Atlantic coast, as Senator MAGNUSON explained. Shipments to Alaska are carried by three steamship companies, two of them American and the third operated by the Canadian Pacific and the Canadian National Railroads, the latter transporting about one-third of all goods shipped into the Territory.

Although foreign-owned vessels are not permitted to participate in the intercoastal trade, a means of evasion is found through the shipment of goods from east coast points to Vancouver, B. C., by rail and their transshipment by Canadian cargo carriers to Alaska ports. During the winter season when American ships in the Alaska trade are tied up the Canadian vessels carry cargo to India and other ports in the Far East and are thereby enabled to operate the year round.

The Magnuson amendment would have authorized American steamship lines to purchase from the Maritime Commission a sufficient number of vessels to replace the 9 lost during the war and the other 11 ships in the fleet which have become obsolete or fallen into such a state of disrepair as to be no longer serviceable. If suitable ships were not available, the Maritime Commission would be authorized to build new ones and sell them on the same basis as is provided for the disposal of Liberty and Victory ships owned by the Commission. This would mean their sale at actual cost less discount for depreciation, and here is where the traditional policy against subsidizing entered the picture.

Adoption of the Magnuson amendment would have permitted continued operation of the two American lines without an increase in freight rates, it was believed, and this was the prime motive behind the amendment. It was contended that present freight rates to Alaska are as high as the traffic will bear without imposing undue hardship upon residents of the Territory. An application for rate increases is now pending.

RECESS

Mr. RUSSELL. Mr. President, without prejudice to the rights of the Senator from Louisiana [Mr. ELLENDER] to hold the floor, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 10 minutes p. m.) the Senate

took a recess until tomorrow, Thursday, February 7, 1946, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate February 6 (legislative day of January 18), 1946:

COLLECTOR OF CUSTOMS

Alexander H. Bell, of Norfolk, Va., to be collector of customs for customs collection district No. 14, with headquarters at Norfolk, Va. (Reappointment.)

CONFIRMATIONS

Executive nominations confirmed by the Senate February 6 (legislative day of January 18), 1946:

INTERNATIONAL MONETARY FUND AND INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

Fred M. Vinson to be United States Governor of the International Monetary Fund and United States Governor of the International Bank for Reconstruction and Development for a term of 5 years.

William L. Clayton to be United States Alternate Governor of the International Monetary Fund and United States Alternate Governor of the International Bank for Reconstruction and Development for a term of 5 years.

Harry D. White to be United States Executive Director of the International Monetary Fund for a term of 2 years and until his successor has been appointed.

Emilio G. Collado to be United States Executive Director of the International Bank for Reconstruction and Development for a term of 2 years and until his successor has been appointed.

RECONSTRUCTION FINANCE CORPORATION

MEMBERS OF THE BOARD OF DIRECTORS OF THE RECONSTRUCTION FINANCE CORPORATION FOR TERMS OF 2 YEARS FROM JANUARY 22, 1946

Harvey Jones Gunderson

Henry T. Bodman

Charles B. Henderson

NATIONAL MEDIATION BOARD

Frank P. Douglass to be a member of the National Mediation Board, for a term expiring February 1, 1949.

NATIONAL HOUSING AGENCY

Wilson W. Wyatt to be National Housing Administrator.

SELECTIVE SERVICE SYSTEM

Candler Cobb to be a director of Selective Service for New York City, with salary of \$7,175 per annum.

IN THE ARMY

TEMPORARY APPOINTMENTS IN THE ARMY OF THE UNITED STATES

To be a major general

Milton Baldrige Halsey

To be brigadier generals

Kearle Lee Berry

Wyburn Dwight Brown

Kenneth David Nichols

Rodney Hamilton Smith

Carlton Spencer Dargusch

Charles Gurdon Sage

Francis Rusher Kerr

Robert Joshua Gill

Gerson Kirkland Heiss

PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES

To be colonels to rank from December 28, 1945

Joseph Leon Phillips et al. which were received by the Senate on February 4, 1946. (NOTE.—A full list of the persons whose nominations for promotion in the Regular

Army were confirmed today may be found in the Senate proceedings of the CONGRESSIONAL RECORD for February 4, 1946, under the caption "Nominations," beginning with the name of Joseph Leon Phillips, on page 825, and ending with the name of Richard Whitney Carter, on page 828.)

IN THE NAVY

APPOINTMENT IN THE NAVY, FOR TEMPORARY SERVICE

Earle W. Mills to be a vice admiral in the Navy, for temporary service, effective from December 31, 1945.

HOUSE OF REPRESENTATIVES

WEDNESDAY, FEBRUARY 6, 1946

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father, whose paths are paths of peace, help us to choose Thee as our guide and leader and to walk in Thy footsteps. In our lowliness, amid weakness and temptation, do Thou bestow Thy grace upon us that we may faithfully and diligently seek that integrity of motive that will bulwark us against strains and unjust criticisms.

O God, many are being victimized by false riches, rooted in covetousness and decaying standards. O teach every land under the sky that its wealth does not consist in the abundance of its possessions, lest the winds of selfish gain touch the torch of destruction. All boundaries and claims are as sounding brass and tinkling cymbals without freedom and justice for all. Dear Lord, the world with its empty hands is scantily clad; in this moving pageant of human misery, let us not fail in our compassion to keep the faith. Free them from the foes with merciless power and replenish them with living hope for a new day, in a new world wherein dwelleth righteousness and peace and honor. Through Christ our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

ANNOUNCEMENT

The SPEAKER. On account of the calendar today, the Chair prefers not to recognize Members to proceed for 1 minute, but they may extend their remarks in the RECORD.

EXTENSION OF REMARKS

Mr. BATES of Kentucky asked and was given permission to extend his remarks in the RECORD and include a letter by the commander in chief of the Veterans of Foreign Wars.

Mr. LANE asked and was given permission to extend his remarks in the RECORD in two instances; to include in one a resolution adopted by the City Council of Lynn, Mass., and in the other an article by Judge Daniel J. Gillen, of the municipal court of the city of Boston.

Mr. GALLAGHER asked and was given permission to extend his remarks in the RECORD and include a tribute to Mr. Bowles.

Mr. ROE of Maryland asked and was given permission to extend his remarks

in the RECORD and include an editorial appearing in the Preston News entitled "Feed Situation Is Intolerable."

Mr. BIEMILLER asked and was given permission to extend his remarks in the RECORD and include an editorial on the REA.

Mr. ARENDS asked and was given permission to extend his remarks in the RECORD and include an editorial appearing in the United States News entitled "The Truth About Yalta—a Year Late."

Mr. JENKINS asked and was given permission to extend his remarks in the RECORD and include an address delivered by the national commander of the United States Service Legion.

Mr. ROBERTSON of North Dakota asked and was given permission to extend his remarks in the RECORD and include a letter on the subject of free competition.

Mr. LUTHER A. JOHNSON asked and was given permission to extend his remarks in the RECORD and include an editorial.

PERMISSION TO ADDRESS THE HOUSE

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that today, following any special orders heretofore entered, I be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

RETIREMENT OF DISTRICT JUDGES IN ALASKA ET AL.

Mr. BATES of Kentucky, from the Committee on Rules, reported the following privileged resolution (H. Res. 509, Rept. No. 1521) which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the act (S. 565) to extend the privilege of retirement to the judges of the District Court for the District of Alaska, the District Court of the United States for Puerto Rico, the District Court of the Virgin Islands, and the United States District Court for the District of the Canal Zone. That after general debate, which shall be confined to the act and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on the Judiciary, the act shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the act for amendment, the Committee shall rise and report the same back to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the act and amendments thereto to final passage without intervening motion except one motion to recommit.

RIVER AND HARBOR PROJECTS

Mr. SABATH, from the Committee on Rules, reported the following privileged resolution (H. Res. 510, Rept. No. 1522), which was referred to the House Calendar, and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on

the State of the Union for the consideration of the joint resolution (H. J. Res. 265) to provide for proceeding with certain river and harbor projects heretofore authorized to be prosecuted after the termination of the war. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Rivers and Harbors, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same back to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

INDIAN CLAIMS COMMISSION

Mr. SABATH, from the Committee on Rules, reported the following privileged resolution (H. Res. 511, Rept. No. 1523), which was referred to the House Calendar, and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 4497) to create an Indian Claims Commission, to provide for the powers, duties, and functions thereof, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Indian Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same back to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

CALL OF THE HOUSE

Mr. RANKIN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. GORE. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 19]

Andrews, N. Y.	Dawson	Madden
Arnold	Dingell	Monroney
Barden	Doyle	Murphy
Bell	Engle, Calif.	Norblad
Bishop	Fisher	Norton
Bland	Fogarty	Patterson
Bloom	Fulton	Price, Ill.
Bradley, Mich.	Gardner	Reed, N. Y.
Bradley, Pa.	Gearhart	Rowan
Brooks	Gwynne, Iowa	Short
Bulwinkle	Hancock	Sparkman
Cannon, Fla.	Harness, Ind.	Starkey
Cannon, Mo.	Holifield	Sumners, Tex.
Clark	Johnson, Ill.	Wadsworth
Cravens	Keeffe	Welch
Crosser	Lea	
Curley	Luce	

The SPEAKER. On this roll call 381 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.